



THE  
AJMERE REGULATIONS,  
ALSO  
NOTIFICATIONS

REFERRING TO THE  
AJMERE-MERWARA DIVISION  
TOGETHER WITH  
RULES, CIRCULARS, AND ORDERS REVISED AND  
CONSOLIDATED.

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Fourth Edition—Volume I., A to F.

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AJMERE:  
PRINTED AT THE RAJPUTANA MISSION PRESS.  
1897.

Commissioner's Notice regarding the application to be made for passes to shoot in the Ajmere-Merwara Government Forest reserved to the District Magistrates Ajmere-Merwara, respectively, ... ..	<i>ib.</i>
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### Foreign Jurisdiction and Extradition—

The Foreign Jurisdiction and Extradition Act XXI of 1879, ...	327
Government of India Notification No. 31J of 12th March 1875 publishing rules under Secs. 13 and 15 of the Act, ...	333
Government of India Notification limiting the application of the above Notification, ... ..	336
Government of India Notification publishing an agreement with certain Native States for the extradition of offenders, ...	337 .

# LIST OF REGULATIONS AND ACTS IN FORCE IN AJMERE-MERWARA.

*The following list is believed to include all the enactments in force in  
Ajmere-Merwara up to 31st December, 1894.*

## 1. BENGAL REGULATIONS IN FORCE IN AJMERE-MERWARA.

- (1.) No. V of 1799—(Wills and Intestacies of Natives): ss. 4 to 6
- (2.) „ X of 1804—(State Offences.)
- (3.) „ XI of 1806—(Assistance to Marching Troops and Travellers):  
ss. 2 to 6, 8.
- (4.) „ XIX of 1810—(Native Endowments; Escheat.)
- (5.) „ XI of 1812—(Removal of Foreign Emigrants.)
- (6.) „ III of 1818—(State Prisoners.)
- (7.) „ VI of 1825—(Assistance to Marching Troops and to  
Travellers.)
- (8.) „ V of 1827—(Management of Estates under Attachment.)

## 2. REGULATIONS FRAMED FOR AJMERE-MERWARA UNDER 33 VIC., CAP. 2.

- (1.) No. IV of 1872—(The Ajmere Talukdars' Relief Regulation.)
- (2.) „ VI of 1874—(The Ajmere Forest Regulation.)
- (3.) „ I [“] of 1877—as amended by }  
Regulation } The Ajmere Courts  
No. IX of 1890 } Regulation.  
„ IX of 1893. }
- (4.) „ II of 1877—as amended by }  
Regulation } The Ajmere Land and  
No. IX of 1893. } Revenue Regulation.

[a] The Ajmere Courts Regulation came into force on 1st June 1877. See Chief Commissioner's Notification No. 326, dated 18th May, 1877. Rajputana Official Gazette, dated 2nd June, 1877.



## Acts.]

- (5.) No. III of 1877—as amended by  
Regulation  
No. IX of 1893. } The Ajmere Laws Re-  
gulation.
- (6.) „ V of 1886—as amended by  
Regulation  
No. IX of 1893. } The Ajmere Municipali-  
ties Regulation.
- (7.) „ VI of 1886—as amended by  
Regulation  
No. IX of 1893. } The Ajmere Rural  
Boards Regulation.
- (8.) „ III of 1887—(The Diwan's Estate Regulation.)
- (9.) „ VIII of 1887—(The Ajmere Irrigation Regulation.)
- (10.) „ I of 1888—(The Ajmere Government Wards Regulation.)
- (11.) „ IX of 1890—(Amending the Ajmere Courts Regulation.)
- (12.) „ I of 1892—(The Private Forests Preservation Regula-  
tion.)
- (13.) „ IX of 1893—(The Ajmere Repealing and Amending  
Regulation.)
- 

## 3. LOCAL ACTS—

(a.) *Which are in force proprio vigore.*

(1.) The Ferries Act, XVII of 1878, as amended by  
„ III of 1886.

(2.) The Excise Act, XXII of 1881, as amended by  
„ VI of 1885,  
„ X of 1893.

(3.) The Agriculturists Loans Act, XII of 1884.

(4.) The Indian Salt Act, XII of 1882, as amended by  
Act XIX of 1890.

- (b.) Which have been applied to and are in force in Ajmere-Merwara :
- (1.) [a] Chowkidars' Act, XX of 1856, as amended by Act XXII of 1871.
  - (2.) [b] The Gambling Act, III of 1867.
  - (3.) The Hackney Carriage Act XIV of 1879.
  - (4.) The Vaccination Act XIII of 1880.
- (c.) Which extend to Ajmere-Merwara, but have not been applied or brought into force :
- (1.) Glanders and Farcy Act XX of 1879.

#### 4. LIST OF GENERAL ACTS WHICH APPLY *PROPRIO VIGORE* TO AJMERE-MERWARA.

1. Act XX of 1847—Copy-right.
2. „ XXI of 1850—Non-forfeiture of rights by loss of caste.
3. „ XXXVII of 1850—Enquiries into behaviour of Public Servants.
4. „ XXX of 1852—Naturalization of Aliens.

[a] Police Department Notification No. 118A, dated 12th July, 1869.—“It is hereby notified that the provisions of Act XX of 1856 are introduced into the Town of Pokhur in the Ajmere District under Sec. 4 of the Act. It is also notified that the limits of the said town will be a radius of one mile from the old Thannah.

Under Sec. 10 of the Act, it is further notified that the tax is to be levied according to the circumstances and property to be protected of the persons liable for the same.”

Act XX as amended by XXII of 1871 was extended to Deoli Cantonment by Notification No. 406, dated 18th April, 1885, See *Gazette of India*, Part II for 1885, p. 192.

This Act was also applied to the Cantonment of Nasirabad by Notification No. 396A, dated 2nd July, 1866, (published in N. W. P. *Gazette* of 11th July, 1866, p. 376). Printed under head “Cantonments.”

It applies also to the town of Kekri.

[b] The provisions of Act III of 1867 have been applied by N. W. P. Government Notification No. 346A, dated 8th June, 1867, to the following towns of Ajmere-Merwara only :—

Ajmere — Boundaries as fixed by the Municipal Committee.  
 Nayanagar.  
 Srinagar.  
 Kekri.  
 Sawar.  
 Masuda.  
 Pisangan.  
 Bhinai.  
 Kharwa.  
 Pokhur,  $\frac{1}{2}$  mile on all sides from the old Thannah,  
 Ramsar,  $\frac{1}{2}$  mile on all sides of the Tahsil.  
 Nasirabad, within the boundary pillars of the Cantonment.

## Acts.]

5. Act XXIV of 1855—Penal Servitude—applicable under Section 56 of the Indian Penal Code for Offences under the Code.
6. „ XV of 1856—Remarriage of Hindu Widows.
7. „ XLV of 1860—Indian Penal Code, as amended by  
 Act VI of 1861,  
 „ XXVII of 1870,  
 „ XIX of 1872,  
 „ X of 1873, s. 15,  
 „ VIII of 1882,  
 „ X of 1886, ss. 21, 24,  
 „ XIV of 1887, s. 79,  
 „ I of 1889, s. 9,  
 „ IV of 1889, s. 3,  
 „ XIII of 1889,  
 „ IX of 1890, s. 149,  
 „ X of 1891,  
 „ XII of 1891, & III of 1894.
- Act V of 1861—[<sup>a</sup>]Police, as amended by Act III of 1888.
- „ XVI of 1861—State carriages, as amended by Act XVI of 1876.
- „ III of 1864—[<sup>b</sup>]Foreigners, as amended by Act XII of 1891.

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[<sup>a</sup>]—Section 34 of Act V of 1861 (Police Act) has been extended to the following towns in Ajmere-Merwara.

- |                          |   |
|--------------------------|---|
| Ajmere & Beawar.         | } By Notification No. 426A, dated 26th April, 1865. Vide N. W. P. <i>Gazette</i> , Vol. 1, p. 207, dated 3rd May, 1865. |
| Cantonment of Nasirabad. | } By Notification No. 397A, dated 2nd July, 1866. See N. W. P. <i>Gazette</i> for 1866, p. 376.                         |
| Pokhur, Kekri, Bhinai.   | } By Notification No. 156, dated 12th February, 1885. See <i>Gazette of India</i> , Pt. II, for 1885, p. 79.            |
| Pisangan—                | By Notification No. 466-648, dated 27th April, 1887. <i>Gazette of India</i> , Pt. II, dated 7th May, 1887, p. 232.     |
| Kharwa—                  | By Notification No. 135-648, dated 23rd February, 1892. See <i>Gazette of India</i> , Pt. II, for 1892, p. 133.         |
| Sawar—                   | By Notification No. 391-648, dated 11th April, 1893. Vide <i>Gazette of India</i> , Pt. II, for 1893, p. 289.           |

[<sup>b</sup>]—“Under the provisions of Sec. 1, Act III of 1864, (an Act to give the Government certain powers with respect to Foreigners), the Governor-General in Council is pleased to authorize the Chief Commissioner of Ajmere for the time being to exercise the powers vested by that Act in a Local Government,” Notification No. 71J, dated Simla, the 28th June, 1876. See *Gazette of India*, Pt. I for 1876, p. 346.

Act	VI of 1864—[ <sup>a</sup> ]Whipping.
„	X of 1865—Succession Act, as amended by Act XIII of 1875, „ II of 1877, „ VI of 1881, „ VI of 1889, „ II of 1890, „ XII of 1891.
„	XV of 1865—[ <sup>b</sup> ]Parsi Marriage and Divorce, as amended by Act VI of 1886.
„	XIV of 1866—Post Office, as amended by Act III of 1882.
„	XXI of 1866—Dissolution of Marriages of Native Converts.
„	XXV of 1867—Printing Presses and Books, as amended by Acts X of 1890 and XII of 1891.
„	I of 1868—General Clauses.
„	IV of 1869—Divorce.
„	V of 1869—Indian Articles of War, as amended by Act XII of 1894.
„	XX of 1869—Volunteers, as amended by Act XII of 1891.
„	VII of 1870—Court Fees, as amended by Act XX of 1870, „ XV of 1872, „ XIII of 1875, „ V of 1881, „ VI of 1889, „ VII of 1889, „ XIII of 1889, „ VIII of 1890, „ XII of 1891.
Act	XX of 1870—Amending Court Fees Act VII of 1870.
„	XXVII of 1870—Amending Indian Penal Code, Act XLV of 1860.

[a]—As to the applicability of this Act with reference to the Laws Local Extent Act 1874, See (1) Chief Commissioner's letter No. 305, dated 20th April, 1893, (2) Foreign Department letter No. 1581, dated 25th October, 1875, and (3) Home Department letter No. 604, dated 5th May, 1884, to the address of the Government of Bengal. See Appendix A.

[b]—For table of consanguinity under the Act, See head "Miscellaneous."

## Acts.]

- Act I of 1871—Cattle Trespass, as amended by Act XVIII  
of 1883 and Act I of 1891.
- „ V of 1871—Prisoners Act, as amended by  
Act IX of 1882,  
„ X of 1886,  
„ XII of 1891 and  
„ VII of 1894.
- Act XXIII of 1871—Pensions.
- „ XXXI of 1871—Weights and Measures.
- „ I of 1872—Evidence, as amended by  
Act XVIII of 1872,  
„ III of 1877,  
„ III of 1891.
- „ III of 1872—Marriage, as amended by Act VI of 1886,
- „ IX of 1872—Contract, as amended by Act IV of 1886,
- „ XV of 1872—Indian Christian Marriage Act, as  
amended by Act VI of 1886,  
„ II of 1891,  
„ XII of 1891.
- „ XVIII of 1872—Amending the Indian Evidence Act.
- „ XIX of 1872—Amending the Indian Penal Code (Defi  
nition of Coin.)
- „ V of 1873—Savings Banks.
- „ X of 1873—Judicial Oaths.
- „ XIV of 1873—Lunatic Soldiers' Property.
- „ II of 1874—Administrator General, as amended by  
Act IX of 1881,  
„ II of 1890,  
„ XII of 1891.
- „ III of 1874—Married Women's Property.
- „ IV of 1874—Foreign Recruiting Act.
- „ IX of 1874—European Vagrancy, as amended by  
Act XII of 1891.
- „ XV of 1874—Laws Local Extent, as amended by  
Act VII of 1889,  
„ XIII of 1889,  
„ VIII of 1890,  
„ XX of 1890,  
„ XII of 1891.

- Act V of 1875—Unattested Sepoys.
- „ IX of 1875—Majority Act.
- „ XIII of 1875—Probate and Letters of Administration, as amended by Act II of 1877.
- „ XVIII of 1875—[<sup>a</sup>] Indian Law Reports.
- „ V of 1876—[<sup>b</sup>] Reformatory Schools Act.
- „ IX of 1876—Native Coinage.
- „ XVI of 1876—Amending Stage Carriages Act XVI of 1861.
- „ XIX of 1876—Dramatic Performances Act.
- „ II of 1877—Amending Act XIII of 1875, (Probate and Administration.)
- „ III of 1877—Registration, as amended by  
Act XII of 1879,  
„ I of 1880,  
„ XIX of 1883,  
„ VII of 1886,  
„ VII of 1888,  
„ XIII of 1889,  
„ XII of 1891.
- „ XI of 1877—Military Lunatics, as amended by Act XIII of 1894.
- „ XV of 1877—Limitation Act, as amended by  
Act XII of 1879,  
„ VIII of 1880,  
„ V of 1881,  
„ IX of 1887,  
„ VII of 1888,  
„ VI of 1892.
- „ VI of 1878—Treasure Trove.
- „ XI of 1878—Arms Act.

[a] For rules regarding the publication of Indian Law Reports Series, see Notification No. 14, dated 17th August, 1885, (*Gazette of India*, Part I for 1885, p. 431) and No. 19, dated 31st August, 1891. (*Gazette of India*, Part I for 1891, p. 489.)

[b] Brought into force in Ajmere Merwara on 15th June, 1894, see Chief Commissioner's Notification No. 625, dated 15th June, 1894, (*Gazette of India*, Part II for 1894, p. 584.)

## Acts.]

Act	I of 1879—Stamps, as amended by Act I of 1888, „ VI of 1889, „ XX of 1890, „ XII of 1891, „ VI of 1894.
„	III of 1879—Destruction of Records, as amended by [ <sup>a</sup> ] Act XX of 1890.
„	XI of 1879—Local Authorities Loans Act, as amended by Act XV of 1885.
„	XII of 1879—Amending Registration and Limitation Acts (III and XV of 1877.)
„	XXI of 1879—Foreign Jurisdiction and Extradition Act, as amended by Act XII of 1891.
„	I of 1880—Religious Societies.
„	V of 1881—[ <sup>b</sup> ] Probate and Administration, as amended by Act VI of 1889, „ II of 1890, „ XII of 1891.
„	VI of 1881—District Delegate.
„	IX of 1881—Amending Administrator General's Act II of 1874.
„	XI of 1881—Municipal Taxation.
„	XV of 1881—Factories, as amended by Act XI of 1891.
„	XXVI of 1881—Negotiable Instruments as amended by Act II of 1885.
„	III of 1882—Seditious Publications.
„	IV of 1882—Transfer of Property Act, as amended by Act III of 1885.
„	VI of 1882—Indian Companies Act.
„	VII of 1882—Powers of Attorney.
„	VII of 1882—Amending the Indian Penal Code.
„	IX of 1882—Amending the Prisoners Act V of 1871.

<sup>a</sup>] For Rules under this Act, See head "Procedure, Miscellaneous," *infra*.

[<sup>b</sup>] The Courts of the Chief Commissioner and the Commissioner, Ajmere-Merwara, have been authorized under Sec. 2 to receive applications for Probate or letters of Administration under the Act. Chief Commissioner's Notification No. 1067-689 dated 27th September, 1889, *Gazette of India*, Part II for 1889, p. 534.

[Acts.]

Act X of 1882—Criminal Procedure Code, as amended by

Act X of 1886,  
 „ V of 1887,  
 „ XIV of 1887,  
 „ I of 1889,  
 „ XIII of 1889,  
 „ III of 1891,  
 „ IV of 1891,  
 „ X of 1891,  
 „ XII of 1891,  
 „ III of 1894,  
 „ X of 1894.

[Note.—Section 399 of Act X of 1882 is repealed by Act V of 1876, (Reformatory Schools), Section 2. See note (b), page 7 *supra*.]

Act XX of 1882—Paper Currency, as amended by Act XV of 1890.

„ XXI of 1883—Emigration, as amended by  
 Act XXI of 1884,  
 „ XVIII of 1890.

„ III of 1884—Amending the Criminal Procedure Code.

„ IV of 1884—Indian Explosives Act, as amended by  
 Act X of 1889.

„ IX of 1884—So far as it amends the Indian Stamp  
 Act I of 1879.

„ II of 1885—The Negotiable Instruments Amendment  
 Act.

„ III of 1885—Amending the Transfer of Property  
 Act IV of 1882.

„ XIII of 1885—Telegraphs, as amended by Act XI  
 of 1888.

„ XV of 1885—Amending the Local Authorities Loans  
 Act XI of 1879.

„ II of 1886—Income Tax.

„ IV of 1886—Amending the Contract Act IX of 1872.

„ VI of 1886—Births, Deaths, and Marriages Registra-  
 tion, as amended by Act XVI of 1890,  
 „ II of 1891.

„ VII of 1886—Amending the Registration Act III of  
 1877.



## Acts.]

- Act X of 1886—Amending the Criminal Procedure Code, 1882, the Indian Penal Code, 1860, and the Prisoners Act, 1871.
- „ XI of 1886—Tramways.
- „ XII of 1886—Petroleum, as amended by Act XIV of 1890,  
„ XII of 1891.  
(Sections 1 to 4 and the provisions relating to dangerous petroleum and the importation of petroleum.)
- „ XIII of 1886—Securities.
- „ I of 1887—General Clauses.
- „ III of 1887—Amending the Indian Evidence Act I of 1872.
- „ V of 1887—Amending the Criminal Procedure Code 1882.
- „ VI of 1887—Amending the Indian Companies Act VI of 1882.
- „ VII of 1887—Suits Valuation Act, Pts. II and III only.
- „ IX of 1887—Provincial Small Cause Courts Act.
- „ XIII of 1887—Electricity.
- „ XX of 1887—Protection of Wild Birds and other Game.
- „ I of 1888—Amending the Indian Stamp Act I of 1879.
- „ III of 1888—The Police Act, as amended by XII of 1891.
- „ V of 1888—Inventions and Designs.
- „ VI of 1888—Imprisonment for Debt (except sec. 10);
- „ VII of 1888—So much of it as amends the Indian Registration and Limitation Acts 1877, as amended by XII of 1891.
- „ XI of 1888—Amending the Indian Telegraphs Act XIII of 1885.
- „ I of 1889—Metal Tokens Act.
- „ II of 1889—[<sup>a</sup>] Measures of Length Act.

[<sup>a</sup>]. The Act came into force on 15th June, 1889. See Notification No. 953, dated 30th May, 1889, *Gazette of India* for 1889, Part I, p. 305.

“Under Section 3 of the Measures of Length Act II of 1889, the Governor-General in Council is pleased to prescribe the Mathematical Instrument Office of the Survey of India Department as the place within the limits of the Town of Calcutta where the approved copy of the Imperial Standard for determining the length of the Imperial Standard Yard for the United Kingdom shall be kept.” (Vide Home Department Notification No. 954, dated 30th May, 1889, *Gazette of India* for 1889, p. 305.)

Act	IV of 1889—The Indian Merchandise Marks Act, as amended by IX of 1891.
„	VI of 1889—Probate and Administration 1889.
„	VII of 1889—Succession Certificate.
„	XIII of 1889—[“] Cantonments, as amended by Act I of 1891, „ XII of 1891.
„	XV of 1889—Indian Official Secrets.
„	I of 1890—[“] Revenue Recovery.
„	II of 1890—Amending the Indian Succession Act, 1865, the Administrator General's Act, 1874, and the Probate and Administration Act, 1881.
„	VI of 1890—Charitable Endowments.
„	VIII of 1890—Guardians and Wards.
„	IX of 1890—Indian Railways.
„	X of 1890—Amending Act XXV of 1867 (Printing Presses and Books).
„	XV of 1890—Amending the Paper Currency Act of 1882.
„	XVI of 1890—Amending the Births, Deaths, and Marriages Registration Act, 1886.
„	XVII of 1890—Indian Census.
„	XVIII of 1890—Amending the Indian Emigration Act of 1883.
„	I of 1891—Amending the Cattle Trespass Act of 1871.
„	II of 1891—Amending the Indian Christian Marriage Act of 1872.
„	III of 1891—Amending the Indian Evidence Act, 1872, and the Criminal Procedure Code, 1882.
„	IV of 1891—Amending the Indian Criminal Procedure Code, 1882.
„	IX of 1891—So much as it amends the Indian Merchandise Marks Act, 1889.

[a]. The Act came into force on the 1st January 1890. See Notification No. 1065, dated 20th December, 1889, *Gazette of India*, Part I for 1889, p. 678.

[b]. The Rent Recovery Act I of 90 was applied to “all territories of India, which are under the administration of the Governor-General in Council, but which are not part of British India,” by Notification No. 14151, dated 30th April, 1890, printed *infra*.

## Acts.7

Act	X of 1891—Amending the Criminal Procedure Code, 1882, and the Indian Penal Code, 1860.
„	XI of 1891—Amending the Indian Factories Act, 1881.
„	XII of 1891—Repeal and Amendment.
„	XVIII of 1891—Bankers' Books Evidence.
„	II of 1892—Validation of certain Marriages under Part VI of the Indian Christian Marriage Act, 1872.
„	VI of 1892—So much as it amends the Indian Limitation Act, 1877.
„	X of 1892—Government Management of Private Estates.
„	IV of 1893—Partition Act.
„	V of 1893—Execution of Capital Sentences within British India in certain cases.
„	VII of 1893—Amending the Indian Paper Currency Act, 1882.
„	I of 1894—Land Acquisition.
„	III of 1894—Amending the Criminal Procedure Code, 1882, and the Indian Penal Code, 1860.
„	VI of 1894—Amending the Indian Stamp Act, 1879.
„	VII of 1894—Amending the Prisoners Act, V of 1871.
„	VIII of 1894—Indian Tariff Act.
„	IX of 1894—Prisons Act.
„	X of 1894—Amending the Code of Criminal Procedure, 1882.
„	XII of 1894—The Indian Articles of War Amendment Act.
„	XIII of 1894—The Repealing and Amending (Army) Act.

# 5.—ACTS OF THE GOVERNOR-GENERAL IN COUNCIL WHICH HAVE BEEN—

(a) *Declared to be in force in Ajmere-Merwara under Section 3 of Act XIV of 1874.*

(1) [a] Act XXI of 1865—Intestate Succession (Parsis).

(2) [a] „ XXIII of 1870—Coinage.

(3) [b] „ XIV of 1874—Scheduled Districts Act.

(b) *Extended to Ajmere-Merwara under Section 5 of the Schedule Districts Act XIV of 1874.*

(1) [c] Act XII of 1850—Public Accountants.

(2) [c] „ XVIII of 1850—Protection of Judicial Officers.

(3) [c] „ XXXIV of 1850—State Prisoners.

(4) [d] „ III of 1858—State Prisoners.

(5) [e] „ XXXV of 1858—Lunacy, Mofussil Courts.

(6) [e] „ XXXVI of 1858—Lunatic Asylums.

(7) [f] „ XL of 1858—Minors. [g]

(8) [e] „ XXI of 1860—Registration of Societies.

(9) [h] „ XXVII of 1860—Collection of Debts on Succession [i].

(10) [h] „ XX of 1863—Religious Endowments.

(11) [h] „ III of 1865—Common Carriers.

(12) [h] „ XI of 1865—Mofussil Small Cause Courts, except the sections repealed by Act X of 1877 as specified in the 1st Schedule annexed to that Act [j].

(13) [k] Act X of 1866—Companies. [l]

(14) [k] „ XV of 1869—Prisoners' Testimony.

[a-a] *Vide* Notification No. 72J, dated the 21st June 1878, *Gazette of India* for 1878, Part I, p. 380.

[b] *Vide* Notification No. 169J, dated 19th October 1877, *Gazette of India* for 1877, Part I, p. 605.

[c-c-c] *Vide* Notification No. 73J, dated 21st June 1878, *Gazette of India* for 1878, Part I, p. 380.

[d] *Vide* Notification No. 132-7, dated the 9th February 1887, *Gazette of India* for 1887, Part II, p. 78.

[e-e e] *Vide* Notification No. 73J, dated the 21st June 1878, *Gazette of India* for 1878, Part I, p. 380.

[f] *Vide* Notification No. 51J, dated the 7th January 1881, *Gazette of India* for 1881, Part I, p. 11.

[g] Act XL of 1858 was repealed by Act VIII of 1890.

[h-h-h-h] *Vide* Notification No. 171J, dated 19th October 1877, *Gazette of India* for 1877, Part I, p. 605.

[i] Act XXVII of 1860 was repealed by Act VII of 1889.

[j] Act XI of 1865 was repealed by Act IX of 1887.

[k-k] See Notification No. 73J, dated the 21st June 1878, *Gazette of India* for 1878, Part I, p. 380.

[l] Act X of 1866 was repealed by Act VI of 1882.



[Acts.]

6. ACTS OF THE GOVERNOR-GENERAL IN COUNCIL WHICH  
HAVE BEEN EXTENDED TO AND ARE IN FORCE  
IN AJMERE-MERWARA.

- (1) Act I of 1878—[<sup>a</sup>]Opium.
- (2) Act VIII of 1851, } [<sup>b</sup>]Tolls on Roads and Bridges.
- " XV of 1864, }
- " VIII of 1888, }

7. ACTS OF THE GOVERNOR-GENERAL IN COUNCIL WHICH  
MIGHT BE BUT HAVE NOT BEEN EXTENDED  
TO AJMERE-MERWARA UNDER POWER  
GIVEN THEREIN.

- (1) Act XIII of 1859—Fraudulent Breaches of Contract by Workmen.
- (2) " IX of 1860—Disputes between Workmen and Railway Employers.
- (3) " XXII of 1867—Sarais and Puraos.
- (4) " VIII of 1870—Female Infanticide.
- (5) " XVIII of 1879—Legal Practitioners, as amended by Act IX of 1884.
- (6) " XII of 1880—Kazis.
- (7) " II of 1882—Indian Trusts.
- (8) " XVIII of 1882—Land Acquisition (Mines.)
- (9) " XII of 1886—Petroleum, with the exception of Sections 1 to 4, and the provisions relating to dangerous petroleum and the importation of petroleum.
- (10) " VII of 1887—Suits Valuation Part I.
- (11) " XI of 1890—Cruelty to Animals.

[a] Came into force in Ajmere-Merwara on 2nd August 1879, See *Gazette of India*, Part I for 1879, p. 466.

[b] Extended to Ajmere-Merwara by Chief Commissioner's Notification No. 1137, dated 14th October 1889, See *Gazette of India*, Part II for 1889, p. 562.

For Notifications under these Acts, see head "Rural Boards" *infra*.



## JUDICIAL.

No. 38 J.

*Dated the 8th March 1872.**(Gazette of India, Part I., 9th March 1872.)*

His Excellency the Viceroy and Governor-General in Council is pleased to apply the foregoing Regulation (*viz.*, Ajmere Courts Regulation for Ajmere-Merwara), to the *Parganahs* of Todgarh, Dawair, Saroth, Chang, and Kot-Karana.

His Excellency the Viceroy and Governor-General of India in Council is further pleased to declare that all Laws and Regulations that are now, or may hereafter be in force in Ajmere and Merwara, shall apply to and have force in the aforesaid *Parganahs*, so long as they are under the administration of the British Government.

No. 99 J.

*Dated the 18th June 1875.**(Gazette of India, Part I., 19th June 1875.)*

The Governor-General of India in Council is pleased to declare that all Laws and Regulations that are now, or may hereafter be in force in Ajmere-Merwara shall apply to and have force within those parts of the Cantonment of Deoli, which are situated within the States of Oodeypore and Jeypore.

*Rajputana Official Gazette, of 4th Janury, 1879, Page 1.**Dated Camp, Deoli, 26th December 1878.*

No. 856.—In exercise of the powers conferred by *Section 6* of the Scheduled Districts (Act XIV. of 1874,) the Chief Commissioner of Ajmere-Merwara is pleased to declare that the following jurisdictional powers and duties shall be exercised by the Officers named in column 4 :—

Number and Year of Act.		Subject.	Extent of Operation.	Powers or duties how to be exercised or performed.
1		2	3	4
1	Act XII of 1850.	Default of Public Accountants ...	The whole.	The powers of the "Governor" or "Governor in Council," shall be exercised by the Chief Commissioner.
2	„ XXXV of 1858.	Lunatics ...	Do.	The functions of the "Collector" shall be discharged by the Assistant Commissioners of Ajmere and Merwara respectively.



Acts.]

Number and Year of Act.		Subject.	Extent of Operation.	Powers or duties how to be exercised or performed.
1		2	3	4
3	Act XXXVI of 1858	Lunatic Asylums ..	The whole	The powers of the "Executive Government" shall be exercised by the Chief Commissioner.
4	„ XXI of 1860	Registration of Literary, Scientific, and Charitable Societies	Do.	Section 3. The "Registrar" shall be the Assistant Commissioner of Ajmere or Merwara, as the case may be.
5	„ X of 1866 (Repealed by VI of 1882)	The Indian Companies' Act	Do.	The "Registrar of Joint Stock Company" shall be the Assistant Commissioners of Ajmere and Merwara, respectively.
6	Act XV of 1869	The Prisoners' Testimony Act	Do.	The "High Court" means the Court of Chief Commissioner; "Local Government" means Chief Commissioner.
7	„ XXIII of 1870	Indian Coinage Act	Do.	Under Section 16 the Treasury Officer has already been appointed by the Government of India.
8	„ XXVII of 1871	Criminal Tribes Act	Do.	Powers of "Local Government" shall be exercised by Chief Commissioner.
9	„ XV of 1875	Punjab Laws Act	Do.	In Section 39 D and 39 E the duties of the Deputy Commissioner" shall be performed by the Assistant Commissioners of Ajmere & Merwara respectively.
10	„ X of 1877 (Repealed by Act XIV of 1882)	Civil Procedure Code	Do.	In Section 320 to 326 and 504, the powers of a "Collector" shall be exercised by the Assistant Commissioners of Ajmere-Merwara.

(a) No. 3991.

*Dated the 20th July 1888.*

The Governor-General in Council is pleased to direct that the fee to be paid under Section 40 of the Indian Companies Act, 1882, and Table C. in the first Schedule to that Act, for the registration of an association not for profit as a company with limited liability under section 26 of the said Act, shall, when the number of members is stated in the Articles to Association, exceed twenty, or to be unlimited, be fifty rupees.

*The Gazette of India, February 2nd 1889, part I., Page 76.*

## STATISTICS AND COMMERCE.

CUSTOMS, *the 1st February 1889.*

No. 625.—In exercise of the power conferred by section 19 of the Sea Customs Act VIII of 1878, the Governor-General in Council is pleased to prohibit the bringing into British India by sea or by land of pieces of copper or mixed metal which, not being coin as defined in the Indian Penal Code, are intended to be used as money.

Provided that the bringing of such pieces into British India by a traveller, in quantity not exceeding one hundred pieces, and in good faith for his own use, shall not be deemed to be prohibited by his notification.

2. In exercise of the power conferred by Section 6 of the Metals Tokens Act I of 1889, the Governor-General in Council is further pleased to direct—

(a) That any person bringing pieces of copper into British India in contravention of the foregoing prohibition under Section 19 of the Sea Customs Act 1878, shall be liable to the punishment to which he would be liable if he were convicted under the Metal Tokens Act I of 1889, of making in British India, in contravention of Section 3 of that Act, any such piece as is mentioned in that section, and

(b) That the provisions of sub-section (3) of Section 4 and Sub-Section (1) of Section 5 of the Metal Tokens Act I of 1889, in relation to the offence of making in British India, in contravention of Section 3 of that Act, any such piece as is mentioned in that section, shall apply, so far as they can be made applicable, to the offence of contravening the foregoing prohibition under Section 19 of the Sea Customs Act, 1878.

Acts.]

(a) No. 1018.

*The 2nd November 1894.*

In exercise of the powers conferred by section I, Sub-section (2) of the Indian Articles of War Amendment Act XII of 1894, the Governor-General in Council is pleased to appoint the 1st day of April 1895 as the date on which the said Act shall come into force.

[Acts:

ALPHABETICAL INDEX OF ACTS AND REGULATIONS  
APPLICABLE TO AJMERE-MERWARA, UP TO THE  
31ST DECEMBER, 1894.

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Accountants Public, Default of ...	...	...	Act	XII of 1850.
Acquisition, Land...	...	...	"	I of 1894.
Administration of Landed Property	...	...	Ben. Reg.	V of 1827.
or				
Administrator General	...	...	"	II of 1874.
Do. do. Amending...			"	IX of 1881.
Do. do. Amendment...			"	II of 1890.
Administration and Probate	...	...	Act	V of 1881.
Do. do. Amendment			"	II of 1890.
Agriculturists' Loans,	...	...	"	XII of 1884.
Aliens, Naturalization of	...	...	"	XXX of 1852.
Arms	...	...	"	XI of 1878.
Articles of War, Native	...	...	"	V of 1869.
Do.	...	...	"	XII of 1894.
Asylums, Lunatic	...	...	"	XXXVI of 1858.
Attorney, Powers of	...	...	"	VII of 1882.
Authorities Local, Loans	...	...	"	XI of 1879.

## B

Bank, Government Savings	...	...	Act	V of 1873.
Bankers' Books Evidence	...	...	"	XVIII of 1891.
Behaviour of Public Servants, inquiries into	...	...	"	XXXVII of 1850.
Birth, Deaths, and Marriages, Registration	...	...	"	VI of 1886.
Do. do. Amendment	...	...	"	XVI of 1890.

## C

Cantonments	...	...	Act	XIII of 1889.
Capital Sentences, Execution of...	...	...	"	V of 1893.
Carriage, Hackney (Ajmere Municipality and Nasirabad Cantonment)	...	...	"	XIV of 1879.

## Acts.]

Carriages, State	...	...	...	...	Act	XVI of 1861.
Do. do. Amendment...	...	...	...	...	"	XVI of 1876.
Carriers, Common	...	...	...	...	"	III of 1865.
Caste, Non-forfeiture of rights by loss of	...	...	...	...	"	XXI of 1850.
Cattle Trespass	...	...	...	...	"	I of 1871.
Do. do. Amendment...	...	...	...	...	"	I of 1891.
Census	...	...	...	...	"	XVII of 1890.
Charitable Endowments	...	...	...	...	"	VI of 1890.
Chaukidars	...	...	...	...	"	XX of 1856.
Christian Marriages	...	...	...	...	"	XV of 1872.
Do. do. Amendment	...	...	...	...	"	II of 1891.
Civil Procedure, Code of	...	...	...	...	"	XIV of 1882.
Do. do. Amendment	...	...	...	...	"	VII of 1888.
Do. do. do.	...	...	...	...	"	X of 1888.
Clauses, General	...	...	...	...	"	I of 1868.
Do. do.	...	...	...	...	"	I of 1887.
Coin, Definition of	...	...	...	...	"	XIX of 1872.
Coinage, Indian	...	...	...	...	"	XXIII of 1870.
Do. Native	...	...	...	...	"	IX of 1876.
Companies' Indian	...	...	...	...	"	VI of 1882.
Do. do. Amendment	...	...	...	...	"	VI of 1887.
Contract	...	...	...	...	"	IX of 1872.
Do. Amendment	...	...	...	...	"	IV of 1886.
Converts, Dissolution of Marriages of	...	...	...	...	"	XXI of 1866.
Copy-right	...	...	...	...	"	XX of 1817.
Court Fees	...	...	...	...	"	VII of 1870.
Do. do.	...	...	...	...	"	XX of 1870.
Courts Regulation	...	...	...	...	Ajmere Reg.	I of 1877.
Do. do. Amending	...	...	...	...	Act	IX of 1890.
Criminal Procedure Code	...	...	...	...	"	X of 1882.
Do. do. Amending	...	...	...	...	"	III of 1884.
Do. do. Amending	...	...	...	...	"	X of 1886.
Do. do. do.	...	...	...	...	"	V of 1887.
Do. do. do.	...	...	...	...	"	III of 1891.
Do. do. do.	...	...	...	...	"	IV of 1891.
Do. do. do.	...	...	...	...	"	X of 1891.
Do. do. do.	...	...	...	...	"	III of 1894.
Do. do. do.	...	...	...	...	"	X of 1894.
Criminal Tribes	...	...	...	...	"	XXVII of 1871.
Currency, Paper	...	...	...	...	"	XX of 1882.

[Acts.]

## D

Definition of Coin...	...	...	...	...	Act	XIX of 1872.
Delegates, District	...	...	...	...	"	VI of 1881.
Designs and Inventions	...	...	...	...	"	V of 1888.
Destruction of Records	...	...	...	...	"	III of 1879.
Dissolution of Marriages of Converts	...	...	...	...	"	XXI of 1866.
District Delegates...	...	...	...	...	Act	VI of 1881.
Districts, Scheduled	...	...	...	...	"	XIV of 1874.
Diwan's Estate	...	...	...	...	Ajmere Reg.	III of 1887.
Divorce, Indian	...	...	...	...	Act	IV of 1869.
Do. Parsee	...	...	...	...	"	XV of 1865.
Dramatic Performances	...	...	...	...	"	XIX of 1876.

## E

Electricity...	...	...	...	...	Act	XIII of 1887.
Embarrassed Talukdars	...	...	...	...	Ajmere Reg.	IV of 1872.
Emigration, Indian	...	...	...	...	Act	XXI of 1883.
Do. Amending	...	...	...	...	"	XVIII of 1890.
Endowments	...	...	...	...	Beg. Reg.	XIX of 1810.
Do. Religious	...	...	...	...	Act	XX of 1863.
Do. Charitable	...	...	...	...	"	VI of 1890.
Estates, Intestate Property	...	...	...	...	Beg. Reg.	V of 1799.
European Vagrancy	...	...	...	...	Act	IX of 1874.
Evidence	...	...	...	...	"	I of 1872.
Do. ...	...	...	...	...	"	XVIII of 1872.
Do. Amendment	...	...	...	...	"	III of 1887.
Do. do.	...	...	...	...	"	III of 1891.
Excise	...	...	...	...	"	XXII of 1881.
Explosives,	...	...	...	...	"	IV of 1884.
Extradition	...	...	...	...	"	XXI of 1879.
Execution of Capital Sentences	...	...	...	...	"	V of 1893.

## F

Factories	...	...	...	...	Act	XV of 1881.
Do. Amending	...	...	...	...	"	XI of 1891.
Farcy and Glanders	...	...	...	...	"	XX of 1879.

## Acts.]

Fees, Court	...	...	...	...	...	Act	VII of 1870.
Do. Amending	...	...	...	...	...	"	XX of 1870.
Ferries	...	...	...	...	...	"	XVII of 1878.
Foreigners	...	...	...	...	...	"	III of 1864.
Foreign Immigrants	...	...	...	...	Beng. Reg.		XI of 1812.
Do. Jurisdiction and Extradition	...	...	...	...	Act		XXI of 1879.
Do. Recruiting	...	...	...	...	"		IV of 1874.
Forest Regulation	...	...	...	...	Ajmere Reg.		VI of 1874.

## G

Gambling, Public...	...	...	...	...	...	Act	III of 1867.
General Clauses	...	...	...	...	...	"	I of 1868.
Do. do.	...	...	...	...	...	"	I of 1887.
Glanders and Farcy	...	...	...	...	...	"	XX of 1879.
Government Savings Banks	...	...	...	...	...	"	V of 1873.
Do. Wards	...	...	...	...	Ajmere Reg.		I of 1888.
Government Management of Private Estates	...	...	...	...	Act		X of 1892.
Guardians and Wards	...	...	...	...	"		VIII of 1890.

## H

Hackney Carriages (Ajmere Municipality and Nasirabad Cantonment)	...	...	...	...	Act		XIV of 1879.
---	-----	-----	-----	-----	-----	--	--------------

## I

Immigrants, Foreign	...	...	...	...	Beng. Reg.		XI of 1812.
Imprisonment for Debt	...	...	...	...	Act		VI of 1888.
Income Tax	...	...	...	...	"		II of 1886.
Indian Coinage	...	...	...	...	"		XXIII of 1870.
Do. Companies	...	...	...	...	"		VI of 1882.
Do. do. Amending	...	...	...	...	"		VI of 1887.
Do. Divorce	...	...	...	...	"		IV of 1869.
Do. Emigration	...	...	...	...	"		XXI of 1883.
Do. Limitation	...	...	...	...	"		XV of 1877.
Do. do. Amending	...	...	...	...	"		XII of 1879.
Do. do. do.	...	...	...	...	"		VII of 1888.
Do. do. do.	...	...	...	...	"		VI of 1892.

[Acts.

Indian Law Reports	...	...	...	...	Act	XVIII of 1875.
Do. Official Secrets	...	...	..	...	"	XV of 1889.
Do. Paper Currency	...	...	...	...	"	XX of 1882.
Indian Penal Code	...	...	...	...	"	XLV of 1860.
Do. Registration	...	...	...	...	"	III of 1877.
Do. do. Amending	...	...	...	...	"	XII of 1879.
Do. do. do.	...	...	...	...	"	VII of 1886.
Do. do. do.	...	...	...	...	"	VII of 1886.
Do. Salt	...	...	...	...	"	XII of 1882.
Inquiries into behaviour of Public Servants	...	...	...	...	"	XXXVII of 1850.
Instruments, Negotiable	...	...	...	...	"	XXVI of 1881.
Intestate Property	...	...	...	...	Beng. Reg.	V of 1799.
Do. Succession, Parsees	...	...	...	...	Act	XXI of 1865.
Inventions and Designs	...	...	...	...	"	V of 1888.
Irrigation	...	...	...	...	Ajmere Reg.	VIII of 1887.

## J

Judicial Oaths	...	...	...	...	Act	X of 1873.
Judicial Officers, Protection of	...	...	...	...	"	XVIII of 1850.
Jurisdiction, Foreign	...	...	...	...	"	XXI of 1879.

## L

Land Acquisition...	...	...	...	...	Act	I of 1894.
Land Improvement Loans	...	...	...	...	Act	XIX of 1883.
Do. and Revenue	...	...	...	...	Ajmere Reg.	II of 1877.
Landed property under attachment, management of,	...	...	...	...	Beng. Reg.	V of 1827.
Law Reports, Indian	...	...	...	...	Act	XVIII of 1875.
Laws Local Extent	...	...	...	...	"	XV of 1874.
Laws Regulation	...	...	...	...	Ajmere Reg.	III of 1877.
Do. do. Amendment	...	...	...	...	"	X & XII of 1882.
Limitation...	...	...	...	...	Act	XV of 1877.
Do. Amendment	...	...	...	...	"	XII of 1879.
Do. do.	...	...	...	...	"	VII of 1888.
Do. do.	...	...	...	...	"	VI of 1892.
Loans, Local Authorities	...	...	...	...	"	XI of 1879.
Do. do. Amendment	...	...	...	...	"	XV of 1885.



## Acts.]

Loans, Agriculturists ...	...	...	...	Act	
Lunacy, Mofussil Courts ...	...	...	...	"	XX
Lunatic Asylums...	...	...	...	"	XXI
Lunatic Soldiers' Property	...	...	...	"	2
Lunatics, Military...	...	...	...	"	

## M

Management of Estates under Attachment	...	Beng. Reg.	
Do. of Private Estates ...	...	Act	
Majority, Indian ...	...	"	
Marriage ...	...	"	
Do. Christian ...	...	"	
Do. Converts, Dissolution	...	"	X
Do. Parsee ...	...	"	2
Married Women's Property	...	"	
Measures of Length	...	"	
Merchandise Marks	...	"	
Do. do. Amendment	...	"	
Metal Tokens	...	"	
Military Lunatics ...	...	"	
Municipal Taxation	...	"	
Municipalities ...	...	Ajin. Reg.	

## N

Native Articles of War ...	...	Act	
Do. Amendment	...	"	X
Do. Coinage ...	...	"	I
Do. Religious Endowments	...	Beng. Reg.	XI
Do. do. do.	...	Act	X
Naturalization of Aliens ...	...	"	XX
Negotiable Instruments ...	...	"	XXV

## O

Oaths	...	...	...	...	...	Act	X of 1873.
Offences, State	...	...	...	...	...	Beng. Reg.	X of 1804.
Opium	...	...	...	...	...	Act	I of 1878.
Official Secrets	...	...	...	...	...	"	XV of 1889.

## P

Punjab Laws Amendment	...	...	...	...	...	Act	XV of 1875.
Paper Currency	...	...	...	...	...	"	XX of 1882.
Do. do. Amending	...	...	...	...	...	"	XV of 1890.
Do. do. do.	...	...	...	...	...	"	VIII of 1893.
Parsee, Intestate Succession	...	...	...	...	...	"	XXI of 1865.
Parsee Marriage and Divorce	...	..	...	...	...	"	XV of 1865.
Do. Amending	...	...	...	...	...	"	VI of 1886.
Partition	...	...	...	...	...	"	IV of 1893.
Penal Code	...	..	...	...	...	"	XLV of 1860.
Do. Amending	...	...	...	...	...	"	XXVII of 1870.
Do. do.	...	...	...	...	...	"	XIX of 1872.
Do. do.	...	...	...	...	...	"	VIII of 1882.
Do. do.	...	...	...	...	...	"	X of 1886.
Do. do.	...	...	...	...	...	"	X of 1891.
Do. do.	...	...	...	...	...	"	III of 1894.
Penal Servitude	...	...	...	...	...	"	XXIV of 1855.
Pensions	...	...	...	...	...	"	XXIII of 1871.
Petroleum	...	...	...	...	...	"	XII of 1886.
Police	...	...	...	...	...	"	V of 1861.
Do. Amending	..	...	...	...	...	"	X of 1882.
Do. do.	...	...	...	...	...	"	III of 1888.
Post Office	...	...	...	...	...	"	XIV of 1866.
Powers of Attorney	...	...	...	...	...	"	VII of 1882.
Printing Presses and Newspapers	...	...	...	...	...	"	XXV of 1867.
Do. do. Amendment	...	...	...	...	...	"	X of 1890.
Prisoners	...	...	...	...	..	"	V of 1871.
Do. Amending	...	...	...	...	...	"	IX of 1882.
Do. do.	...	...	...	...	...	"	X of 1886.
Do. Amendment	...	...	...	...	...	"	VII of 1894.

## Acts.]

Prisoners, State	...	...	...	...	...	Beng. Reg.	III of 1818.
Do. do.	...	...	...	...	...	Act	XXXIV of 1850.
Do. Testimony	...	...	...	...	...	"	XV of 1869.
Prisons	...	...	...	...	...	"	IX of 1894.
Private Forests Preservation	...	...	...	...	...	Ajm. Reg.	I of 1892.
Probates	...	...	...	...	...	Act	XIII of 1875.
Do. Amending	...	...	...	...	...	"	II of 1877.
Do. and Administration	...	...	...	...	...	"	V of 1881.
Do. Amendment	...	...	...	...	...	"	VI of 1889.
Do. do.	...	...	...	...	...	"	II of 1890.
Property, Married Women's	...	...	...	...	...	"	III of 1874.
Property, Transfer of	...	...	...	...	...	"	IV of 1882.
Protection of Judicial Officers	...	...	...	...	...	"	XVIII of 1850.
Protection of Wild Birds and other Game	...	...	...	...	...	"	XX of 1887.
Public Accountants, Default of	...	...	...	...	...	"	XII of 1850.
Public Gambling	...	...	...	...	...	"	III of 1867.
Public Servants, Enquiries	...	...	...	...	...	"	XXXVII of 1850.
Public Nazul Property	...	...	...	...	...	{ Beng. Reg. & Act	XIX of 1810. XX of 1863.
Publications, Seditious	...	...	...	...	...	"	III of 1882
Punishment of State Offences	...	...	...	...	...	Beng. Reg.	X of 1804

## R

Railways	...	...	...	...	...	Act	IX of 1890.
Records, Destruction of	...	...	...	...	...	"	III of 1879.
Recruiting, Foreign	...	...	...	...	...	"	IV of 1874.
Reformatory Schools	...	...	...	...	...	"	V of 1876.
Registration	...	...	...	...	...	"	III of 1877.
Do. Amending	...	...	...	...	...	"	XII of 1879.
Do. do.	...	...	...	...	...	"	VII of 1886.
Do. do.	...	...	...	...	...	"	VII of 1888.
Do. of Societies	...	...	...	...	...	"	XXI of 1860.
Religious Endowments	...	...	...	...	...	"	XX of 1863.
Re-marriage of Hindu Widows	...	...	...	...	...	"	XV of 1856.
Repealing and Amending	...	...	...	...	...	Ajm. Reg.	IX of 1893.

Repealing and Amending	...	...	...	...	Act	XII of 1891.
Revenue Recovery	...	...	...	...	"	I of 1890.
Rural Boards	...	...	...	...	Ajmere Reg.	VI of 1886.
Rural Police	...	...	...	...	Act	XV of 1875.

## S

Salt, Indian	...	...	...	...	Act	XII of 1882.
Savings Bank, Government	...	...	...	...	"	V of 1873.
Scheduled Districts	...	...	...	...	"	XIV of 1874.
Schools, Reformatory	...	..	...	...	"	V of 1876.
Securities	...	...	...	...	"	XIII of 1886.
Seditious Publications	...	...	...	...	"	III of 1882.
Small Cause Court, Provincial	...	...	...	...	"	IX of 1887.
Societies, Registration of	...	...	...	...	"	XXI of 1860.
Societies, Religious	...	...	...	...	"	I of 1860.
Stage Carriage	...	...	...	...	"	XVI of 1861.
Do. do.	...	...	...	...	"	XVI of 1876.
Stamps	...	...	...	...	"	I of 1879.
Do. Amending	...	...	...	...	"	IX of 1884.
Do. do.	...	...	...	...	"	I of 1888.
Do. do.	...	..	...	...	"	VI of 1894.
Stamps, Court Fees	...	...	...	...	"	VII of 1870.
Do. do. do. Amending	...	...	...	...	"	XX of 1870.
State Offences	...	..	...	...	Bog. Reg.	X of 1804.
State Prisoners	...	...	...	...	"	XII of 1818.
State Prisoners	...	...	...	...	Act	III of 1858.
Do. do.	...	...	...	...	"	XXXIV of 1850.
Succession	...	...	...	...	"	X of 1865.
Do. Amendment	...	...	...	...	"	II of 1890.
Do. Certificate	..	...	...	...	"	V.I of 1889.
Do. - Intestate, Parsees	...	...	...	...	"	XXI of 1865.
Suits, Valuation	...	...	...	...	"	VII of 1887.

## T

Talukdars Relief	...	...	...	...	Ajmere Reg.	IV of 1872.
Tariff, Indian	...	..	...	...	Act.	VIII of 1894.
Taxation, Municipal	...	...	...	...	"	XI of 1881.
Telegraphs	...	...	...	...	"	XIII of 1885.
Do. Amendment	...	...	...	...	"	XI of 1888.

## [Acts.

Testimony, Prisoners	...	...	...	...	Act	XV of 1869.
Tramways	...	...	...	...	"	XI of 1886.
Tolls on Roads and Bridges	...	...	...	...	"	VIII of 1851.
Do. do.	...	...	...	...	"	XV of 1864.
Do. do.	...	...	...	...	"	VIII of 1888.
Transfer of property	...	...	...	...	"	IV of 1882.
Do. do. Amending	...	...	...	...	"	III of 1885.
Treasure Trove	...	...	...	...	"	VI of 1878.
Trespass, Cattle	...	...	...	...	"	I of 1871.
Do. Amendment	...	...	...	...	"	I of 1894.
Troops, Passage of	...	...	...	...	Beng. Reg.	XI of 1806.
" Supplies on March	...	...	...	...	Do.	VI of 1825.

## U

Unattested Sepoy	...	...	...	...	Act	V of 1875.
------------------	-----	-----	-----	-----	-----	------------

## V

Vaccination	...	...	...	...	Act	XIII of 1880.
Vagrancy, European	...	...	...	...	"	IX of 1874.
Validation of certain Marriages	...	...	...	...	"	II of 1892.
Volunteers	...	...	...	...	"	XX of 1869.

## W

Weights and Measures	...	...	...	...	Act	XXXI of 1871.
Whipping	...	...	...	...	"	{ VI of 1864.
						{ X of 1882.
Wild Birds and other Game, Protection of	...	...	...	...	"	XX of 1887.
Wills	...	...	...	...	Beng. Reg.	V of 1799.

## PART I.

## ADMINISTRATION OF AJMERE-MERWARA.

EXTRACTS FROM NOTIFICATIONS OF THE  
GOVERNMENT OF INDIA.

## FOREIGN DEPARTMENT.

[<sup>a</sup>] NOTIFICATIONS.

## POLITICAL.

*Simla, the 26th May, 1871.*

No. 1004.—With reference to the Notification in the Legislative Department, dated Simla, 27th May 1870, publishing, for general information, Act 33 Victoria, Chapter 3 (*an Act to make better provision for making Laws and Regulations for certain parts of India and for certain other purposes relating thereto*), His Excellency the Viceroy and Governor-General in Council is pleased to direct that the following copy of a Resolution, passed by the Secretary of State for India in Council, be published for general information :

## INDIA OFFICE.

*London, the 16th March, 1871.*

Resolved that the proposal of the Government of India that the provisions of Act 33 Victoria, Chapter 3, be extended to the Districts known as Ajmere and Merwara, be approved.

No. 1007.—Under provisions of Section 3 of Act 17 & 18 Victoria, Chapter 77, His Excellency the Viceroy and Governor-General in Council is pleased to take under his immediate authority and management the Commissionership of Ajmere, comprising the Ajmere District, the Mer-

[<sup>a</sup>] See *Gazette of India*, Part-I, dated 27th May 1871, p. 398.

## Administration.]

wara Pergunnahs of Beawar, Jhak, Shamghur, Behar-Burkocha, Bhaelan, Todghur, Dewair, Saroth, Chang, and Kot-Karana; and to give the following orders respecting the administration thereof. The aforesaid District and Pergunnahs are constituted into a Chief Commissionership, entitled the Chief Commissionership of Ajmere, under the general control of the Government of India in the Foreign Department, with effect from the 1st April 1871.

2. The Agent to the Governor-General in Rajputana shall be *ex-officio* Chief Commissioner. He will also exercise the powers of Judicial Commissioner, and Financial Commissioner.

\* \* \* \* \*

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JUDICIAL.

*Simla, the 5th June, 1872.*

*(Gazette of India, Part I, 8th June, 1872.)*

No. 103.—His Excellency the Viceroy and Governor-General in Council is pleased to declare the Cantonment of Deolee to be part of the Ajmere District.

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GENERAL.

*Fort William, the 11th October, 1872.*

*(Gazette of India, Part I, 12th October, 1872, p. 936.)*

No. 2200.—The [a] Superintendent of Rajputana State Railway Police shall be a District Superintendent of Police within the portion of the Rajputana State [b] Railway which lies within the limits of the Ajmere District.

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POLITICAL.

No. 2112 P. *Fort William, the 25th September, 1874.*

*(Gazette of India, Part I, 26th September, 1874.)*

\* \* \* \* \*

THIRD.—The Assistant Commissioner, for the time being in charge of the British Inland Customs Department at the Sambhur Lake, shall be the Judge of such Court. He shall have the powers of a Magistrate of the 1st

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[a] Now called Assistant Inspector General of Railway Police Rajputana-Malwa Railway.

[b] Now called the Rajputana-Malwa Railway.

## [Administration.]

Class under the Code of Criminal Procedure (Act X of 1872), and also the further powers described in Sections 26, 27, and 28 of the said Code, [a] and he shall have according to such powers, jurisdiction

(A) in respect of all offences committed by subjects of Her Majesty within the aforesaid limits, and punishable under the Indian Penal Code, or under any local or special law in accordance with Sections 7 and 8 and the 4th Schedule of the Code of Criminal Procedure, [b] and

SIXTH.—For the purpose of trying offences described in paragraph 3 (A) preceding, when committed by subjects of Her Majesty within the limits of the jurisdiction of the Sambhur Lake Court, the aforesaid limits shall be deemed to be a Division of the Ajmere District.

EXTRACT FROM NOTIFICATION No. 3391 J, dated Fort William, the 19th December, 1879.

In pursuance of the provisions hereinbefore recited, and under the authority aforesaid, the Governor-General of India in Council hereby declares—

*First.*—A Court, to be called the Didwana Salt Source Court is hereby established.

*Second.*—The local limits of the jurisdiction of such Court shall be the limits of the Didwana Salt Source, as they may be demarcated under Article V of the said Treaty of the 18th day of January 1879.

*Third.*—The Assistant Commissioner, for the time being in charge of the British Inland Customs at the Didwana Salt Source, shall be the Judge of such Court; he shall have the powers of a Magistrate of the 2nd class under the Code of Criminal Procedure, with power to commit persons to the Court of Sessions for offences triable by such Court, and he shall have, according to such powers, jurisdiction—

(a) In respect of all offences committed within the said local limits by subjects of Her Majesty, and punishable under the Indian Penal Code, or under any local or special law in accordance with Sections 7 and 8 and the fourth Schedule of the Code of Criminal Procedure; [b] and

[a] Corresponding with Sections 36, 37 and 191 (2) and (3) of Act X of 1882, Code of Criminal Procedure.

[b] Corresponding with Sections 5, 28, 29, clause 1 and clause 2 (a) and Schedule II of Act X of 1882.



**Administration.]**

*Sixth.*—For the purpose of trying offences provided for in paragraph 3 (A) preceding the local limits of the jurisdiction of the said Court shall be deemed to be a division of the Ajmere District.

\*                      \*                      \*                      \*                      \*

**POLITICAL.**

RESOLUTION No. 674, dated Fort William, the 27th March, 1877.

*Read—*

RESOLUTION of Government of India in the Foreign Department, No. 1995 P, dated 22nd November, 1870.

OBSERVATIONS.—Under Government of India's Resolution No. 1995 P, dated 22nd November 1870, the administration of Ajmere and Merwara was re-organized, and the following Judicial and Revenue establishments sanctioned, the general control being vested in the Agent to the Governor-General for Rajputana as Chief Commissioner :—

				<i>Rupees per month.</i>
1.	Commissioner on Rs. 2,000 rising by annual increments of Rs. 100,			
	to Rs. 2,500 average	...	...	2,250
	Permanent travelling allowance	...	...	150
			Total	2,400
1.	Deputy Commissioner on Rs. 1,000 rising by increments of Rs. 50, to Rs. 1,400 average	...	...	1,200
1.	Native Judicial Assistant on Rs. 700 rising by annual increments of Rs. 50, to Rs. 1,000	...	...	850
1.	Assistant Commissioner, Merwara	...	...	800
1.	Native Extra-Assistant Commissioner, Merwara	...	...	300
1.	Native Extra-Assistant Commissioner, Ajmere	...	...	400
			Total	5,950
	Commissioner's Office	400	}	700
	Judicial Assistant's Office	300		
			Grand Total	6,650

2. The administrative system thus established has proved efficient but costly, the expenditure of the district for the last three years having exceeded the income by about Rs. 50,000 annually.

## [Administration.]

3. His Excellency in Council, therefore, deemed it desirable to cause careful scrutiny to be made in communication with the Chief Commissioner, and Commissioner, of the existing establishments and charges, in view to such reductions being effected, as might be feasible without affecting materially the efficiency of the administration.

4. After careful consideration it appears to His Excellency in Council that having regard to the limited area of Ajmere and Merwara, the Office of Deputy Commissioner may, with advantage, be dispensed with, the administration being carried on, as in Kumaon, by the Commissioner, with two Assistants in charge respectively of the sub-divisions of Ajmere, and of Merwara, each Assistant being vested with the powers of a Magistrate of a district for the purposes of the Code of Criminal Procedure, and with powers of a Collector for Revenue and Executive purposes, to be exercised under the superintendence and orders of the Commissioner.

5. His Excellency in Council further considers that it is desirable that the Commissioner of Ajmere and Merwara and his Assistants, while retaining their present designations should be included in the graded list of the Political Department, the first taking rank with Residents of the 3rd class, the Assistant in charge of Ajmere with Political Agents of the 3rd class, and the Assistant in charge of Merwara with Political Assistants of the 1st class. This arrangement will have the two-fold advantage of improving the prospects of the members of the Ajmere Commission, and providing from time to time for Political Officers' administrative training and experience.

6. For like reasons, the Cantonment Magistrate of Nasirabad should be graded as a Political Assistant of the 2nd class, and his salary adjusted accordingly.

7. The allowance granted to the Military Officer who discharges the office of Cantonment Magistrate, Deolee, can be reduced from Rs. 100 *per mensem* to Rs. 50 *per mensem*.

8. The initial salary of the Native Judicial Assistant (Rs 700 *per mensem*) is fixed at a much higher rate than is found necessary in other provinces, and should be reduced to Rs. 600 rising to Rs. 800.

9. The services of an Extra-Assistant Commissioner are not required at Kekri, and his functions can be well discharged by a Deputy Magistrate on Rs. 150 *per mensem*.

10. The above reductions will not affect existing incumbents of offices, save the Officiating Deputy Commissioner who accepted office on the under-

## Administration.]

standing that his salary and position were liable to reconsideration. In the former case the holders' present salaries will be made good by the grant of a personal allowance, equal to the difference between old and the new rate of salary of the appointments held by them.

11. Other reductions in the Office establishments of the Revenue, Judicial, Police, Jail, Forests, Meteorological, Process-serving, and Educational Departments, described in the Schedule, furnished by the Commissioner with his memorandum dated the 24th September 1876, are approved.

12. The amendment of the Ajmere Courts Regulation necessary to give effect to the above arrangements will be at once proceeded with.

13. The reductions above described will effect an immediate saving of Rs. 40,000 *per annum*, and ultimately, after present incumbents with personal allowances shall have been otherwise provided for, a saving of Rs. 57,000 *per annum*. Reductions of expenditure in the Department of Public Works, will be separately considered.

RESOLUTION.—It is accordingly resolved that from the date of the Ajmere Courts Regulation coming into effect, the Schedule of Revenue and Judicial establishments in Ajmere shall be as follows :—

						<i>Rupees per month.</i>
1.	Commissioner,	ranking as Resident of the 3rd Class	...	...	...	2,000
1.	Assistant Commissioner,	ranking as Political Agent 3rd Class	...	...	...	1,000
1.	Assistant Commissioner,	ranking as Political Assistant 1st Class	...	...	...	800
1.	Cantonment Magistrate,	ranking as Political Assistant 2nd Class	...	...	...	600
1.	Judicial Assistant	...	...	...	...	600
rising to Rs. 800 by annual increments of Rs. 40 <i>per annum</i> .						
1.	Extra-Assistant Commissioner	...	...	...	...	400
1.	Deputy Magistrate	...	...	...	...	150

That the appointment of Extra-Assistant Commissioner, Kekri, be abolished, and a deputy Magistrate on Rupees 150 *per month* substituted.

## [Administration.]

That a Notification be issued investing the Assistant Commissioners of Ajmere and Merwara with the powers of a Magistrate of a district for the purpose of the Code of Criminal Procedure, within their respective jurisdictions.

ORDERED that a copy of the foregoing Resolution be forwarded to the Home Department of the Government of India for information, to the Financial Department for information and further orders, and to the Chief Commissioner of Ajmere for information and guidance.

By order of the Viceroy and Governor-General of India in Council [a].

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[a] Note.—Since the passing of the above Resolution, orders have from time to time been passed making the following additions and alterations in the Revenue and Judicial establishments in Ajmere :—

1. The Commissioner is now a Resident of the 2nd class.
2. The Assistant Commissioner, Ajmere, draws Rs. 200 *per mensem* as local allowance.
3. The Cantonment Magistrate, Nasirabad, is a Political Assistant of the 1st class.
4. The post of an Extra Assistant Commissioner, 1st Grade, with pay rising from Rs. 400 *per mensem* to Rs. 500 *per mensem* was created in 1891.
5. The pay of the Extra-Assistant Commissioner, 2nd Grade, is now Rs. 300, rising to Rs. 400 by annual increments of Rs. 20 *per mensem*.
6. A new post of a Revenue Extra-Assistant Commissioner has been created with a salary of Rs. 250 *per mensem* rising to Rs. 400 *per mensem* by annual increments of Rs. 30 *per mensem*.
7. The pay of the Deputy Magistrate, Kekri, is now Rs. 200 *per mensem*.



# AGRICULTURISTS' LOANS.

ACT No. XII OF 1884.

*Received the Governor General's assent on the 24th July, 1884.*

An Act to amend and provide for the extension of the Northern India Takkavi Act, 1879.

WHEREAS it is expedient to amend the Northern India Takkavi Act, 1879, and provide for its extension to any part of British India ; it is hereby enacted as follows :—

Short title.  
Commence-  
ment.  
Local extent;

1. (1) This Act may be called the Agriculturists' Loans Act, 1884 ; and

(2) It shall come into force on the first day of August 1884.

2. (1) This section and section 3 extend to the whole of British India.

(2) The rest of this Act extends in the first instance only to the territories respectively administered by the Governor of Bombay in Council, the Lieutenant-Governors of the North-Western Provinces and the Panjab, and the Chief Commissioners of Ondh, the Central Provinces, Assam and Ajmere.

(3) But any other Local Government may, from time to time, by notification in the Official Gazette extend the rest of this Act to the whole or any part of the territories under its administration.[<sup>a</sup>]

Repeal of  
Act X of  
1879, and sec-  
tions 4 and 5  
of Act XV.  
of 1880.

3. (1) On and from the day on which this Act comes into force, the Northern India Takkavi Act, 1879, and sections 4 and 5 of the Bombay Revenue Jurisdiction Act 1880, shall, except as regards the recovery of advances made before this Act comes into force and of the interest thereon, be repealed.

(2) All rules made under those Acts shall be deemed to be made under this Act.

Power for  
Local Gov-  
ernment to  
make rules.

4. (1) The Local Government may, from time to time, with the previous sanction of the Governor-General in Council, make rules as to loans to be made to owners and occupiers of arable land, for the relief of distress, the purchase of seed or cattle, or any other purpose not specified in the Land Improvement Loans Act, 1883, but connected with agricultural objects.

(2) All such rules shall be published in the local Official Gazette.

XIX of 1883.

Recovery of  
loans.

5. Every loan made in accordance with such rules, all interest (if any) chargeable thereon, and costs (if any) incurred in making or recovering the same, shall, when they become due, be recoverable from the person to whom the loan was made, or from any person who has become surety for the repayment thereof, as if they were arrears of land-revenue or costs incurred in recovering the same due by the person to whom the loan was made or by his surety.

Liability of  
joint bor-  
rowers as  
among  
hemselves.

6. When a loan is made under this Act to the members of a village-community or to any other persons on such terms that all of them are jointly and severally bound to the Government for the payment of the whole amount payable in respect thereof, and a statement showing the portion of that amount which as among themselves each is bound to contribute is entered upon the order granting the loan and is signed, marked or sealed by each of them or his agent duly authorized in this behalf and by the officer making the order, that statement shall be conclusive evidence of the portion of that amount which as among themselves each of those persons is bound to contribute.

[a] Extended to the Lower Provinces of Bengal with effect from the 7th June, 1885—see *Calcutta Gazette*, 10th June, 1885, Part I, page 555.

## Agriculturists' Loans.]

**No. 1151.**—[<sup>a</sup>] *Dated 19th October 1885. The following rules are prescribed by the Chief Commissioner of Ajmere-Merwara, with the previous sanction of the Governor-General in Council, under Section 4 of the Agriculturists' Loans Act, 1884:—*

### PART A.

#### ORDINARY LOANS.

**I.**—The Chief Commissioner will inform the Commissioner what amount will be placed at his disposal for loans under the Act for each financial year. The Commissioner will divide this sum between Ajmere and Merwara at his discretion, and will have the power of transferring from the one tract to the other. But the whole expenditure in the two tracts will be kept within the total amount assigned. If an additional grant is required, it will be at once applied for, by telegram if necessary.

**II.**—The rate of interest upon the loans will be one anna in the Rupee, or  $6\frac{1}{4}$  per cent. per annum; but the Chief Commissioner may, for special reasons, make the loans at a lower rate of interest, or even without interest. A special application will be made through the Commissioner if it is desired to make loans otherwise than at  $6\frac{1}{4}$  per cent. interest.

**III.**—The dates fixed for instalments will not extend over more than ten years as a maximum. Loans for seed will ordinarily be repaid from the crop produced from the seed; and those for purchase of plough-cattle will ordinarily be repaid within two years.

**IV.**—The dates for payment of instalments will usually be the dates fixed for payment of the land-revenue, loans being recoverable [<sup>b</sup>] as arrears of land revenue.

**V.**—When loans are given without interest and are not repaid on the dates fixed, interest at the usual rate is chargeable at the discretion of the Collector from date of default; and when loans are given subject to

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[a] Vide *Gazette of India*, Part II for 1885 p. 533.

[b] Section 5, Act XII of 1884.

## [Agriculturists' Loans.]

interest, interest at a double rate, *i.e.*,  $12\frac{1}{2}$  per cent., is chargeable at the discretion of the Collector upon all over-due instalments of interests, or of principal and interest.

VI.—When part of a loan made under these rules is found to be irrecoverable, a special report will be made to the Chief Commissioner.

VII.—Annual statements of loans and collections will be submitted, in the forms annexed, by the Commissioner to the Chief Commissioner on the 1st of June for the year ending on the preceding 31st March.

VIII.—Subject to the provisions of these rules, the grant of loans will be absolutely within the discretion of the Collector, but the allotment made for either of the two tracts must not be exceeded without the sanction of the Commissioner.

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PART B.

LOANS TO OWNERS AND OCCUPIERS OF ARABLE LAND FOR THE RELIEF  
OF DISTRESS.

1. Loans for the relief of distress may be made to owners and occupiers of arable land to enable them and their dependents to subsist until the ripening of the next crop in accordance with the preceding rules subject to the following modifications:—

2. With reference to rules II and III, the loans shall be free of interest, and will ordinarily be repayable within a maximum of three years.

3. Subject to the general control of the Collector the loans may be made by the officer in charge of the relief circle or tahsil.

4. When the officer is satisfied, by enquiry made through the relief officer, tahsildar or otherwise, that a loan is necessary and will be repaid, he will order a loan to be given to the extent considered absolutely necessary, and will fix by written order the instalments by which it is to be given and repaid.

5. The loans will usually be given by instalments, monthly or every two months.



7. The loans are meant primarily for small land-owners, and as they are recoverable as land revenue, it will not generally be necessary to take security for them, provided that they are covered by the value of the recipient's property ; but if they are not, the loan will not be given unless some sufficiently substantial person becomes surety.

9. Monthly returns of the loans will be prepared and submitted to the Commissioner, loans made for subsistence being kept separate from other loans.

*I.—Demand and collections on account of preceding years in  $\frac{Ajmere}{Merwara}.$*

[illegible]





# THE INDIAN ARMS ACT, 1878.

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## CONTENTS.

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### PREAMBLE.

#### *I.—Preliminary.*

### SECTIONS.

1. Short title.  
Local extent.  
Savings.
2. Commencement.
3. Repeal of enactments.
4. Interpretation-clause.

#### *II.—Manufacture, Conversion and Sale.*

5. Unlicensed manufacture, conversion and sale prohibited.

#### *III.—Import, Export and Transport.*

6. Unlicensed importation and exportation prohibited.  
Importation and exportation of arms and ammunition for private use.
7. Sanction of Local Government required to warehousing of arms, &c.
8. Levy of duties on arms, &c., imported by sea.
9. Power to impose duty on import by land.
10. Power to prohibit transport.  
Transshipment of arms.
11. Power to establish searching stations.
12. Arrest of persons conveying arms, &c., under suspicious circumstances.  
Procedure where arrest made by person not a Magistrate or a Police-Officer.

#### *IV.—Going armed and possessing Arms, &c.*

13. Prohibition of going armed without license.
14. Unlicensed possession of fire-arms, &c.
15. Possession of arms of any description without license prohibited in certain places.
16. Arms, of which possession has become unlawful, to be deposited at Police-station.

**Arms.]***V.—Licenses.*

## SECTIONS.

- 17. Power to make rules as to licenses.
- 18. Cancelling and suspension of license.

*VI.—Penalties.*

- 19. For breach of sections 5, 6, 10, 13, to 17.
- 20. For secret breaches of sections 5, 6, 10, 14 and 15.  
For cancelling arms, &c.
- 21. For breach of licensc.
- 22. For knowingly purchasing arms, &c., from unlicensed person.  
For delivering arms, &c., to person not authorized to possess them.
- 23. Penalty for breach of rule.
- 24. Power to confiscate.

*VII. - Miscellaneous.*

- 25. Search and seizure by Magistrate.
  - 26. Seizure and detention by Local Government.
  - 27. Power to exempt.
  - 28. Information to be given regarding offences.
  - 29. Sanction required to certain proceedings under section 19, clause (f).
  - 30. Searches in the case of offences against section 19, clause (f), how conducted.
  - 31. Operation of other laws not barred.
  - 32. Power to take census of fire-arms.
  - 33. Notice and limitation of proceedings.
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THE FIRST SCHEDULE.

THE SECOND SCHEDULE.

[Arms.]

## ACT NO. XI. OF 1878.

PASSED BY THE GOVERNOR-GENERAL OF INDIA IN COUNCIL.

*(Received the assent of the Governor-General on the 15th March 1878.)*

## An Act to consolidate and amend the law relating to Arms, Ammunition and Military Stores.

WHEREAS it is expedient to consolidate and amend the law relating to arms, ammunition and military stores ; it is hereby enacted as follows :—

Preamble.

*I.—Preliminary.*

1. This Act may be called "The Indian Arms Act, 1878 ;" and it extends to the whole of British India.

Short title.  
Local extent.

But nothing herein contained shall apply to—

Savings.

(a) arms, ammunition of military stores on board any sea-going vessel and forming part of her ordinary armament or equipment, or

(b) the manufacture, conversion, sale, import, export, transport, bearing or possession of arms, ammunition or military stores by order of the Government, or by a public servant or a volunteer enrolled under the Indian Volunteers Act, 1869, in the course of his duty as such public servant or volunteer.

2. This Act shall come into force [a] on such day as the Governor-General in Council by notification in the *Gazette of India* appoints.

Commencement.

3. On and from that day the enactments mentioned in the first schedule hereto annexed shall be repealed to the extent specified in the third column of the said schedule. But all authorities and permissions given, licenses and exemptions granted, orders and appointments made, notifications published, and rules, conditions and forms prescribed, under any enactment hereby repealed shall be deemed to be respectively given, granted, made, published and prescribed under this Act.

Repeal of enactments.

And all such authorities, permissions, licenses and exemptions shall, except as otherwise provided by this Act, continue in force for the periods for which they may have been given or granted respectively, or, where no such period is expressly fixed, for one year from the date on which this Act comes into force, and shall then cease to have effect.

4. In this Act, unless there be something repugnant in the subject or context,—

"Cannon" includes also all howitzers, mortars, wall-pieces, mitrailleurs and other ordnance and machine-guns, all parts of the same, and all carriages, platforms and appliances for mounting, transporting and serving the same :

Interpretation-clause.

[a] Came into force from October 1, 1878. See *Gazette of India* part I for 1878 p. 389.

## Arms.]

"Arms" includes fire-arms, bayonets, swords, daggers, spears, spear-heads and bows and arrows, also cannon and parts of arms, and machinery for manufacturing arms :

"Ammunition" includes also all articles specially designed for torpedo service and submarine mining, rockets, gun-cotton, dynamite, lithofracteur and other explosive or fulminating material, gunflints, gunwards, percussion-caps, fuses and friction-tubes, all parts of ammunition and all machinery for manufacturing ammunition, but does not include lead, sulphur or saltpetre :

"Military stores," in any section of this Act as applied to any part of British India, means any military stores to which the Governor-General in Council may from time to time, by notification in the *Gazette of India*, specially extend such section in such part, and includes also all lead, sulphur, saltpetre and other material to which the Governor-General in Council may from time to time so extend such section :

"Licence" means a license granted under this Act, and "licensed" means holding such license :

### II.—Manufacture, Conversion and Sale.

5. No person shall manufacture, convert or sell, or keep, offer or expose for sale, any arms, ammunition or military stores except under a license and in the manner and to the extent permitted thereby.

Nothing herein contained shall prevent any person from selling any arms or ammunition which he lawfully possesses for his own private use to any person who is not by any enactment for the time being in force prohibited from possessing the same; but every person so selling arms or ammunition to any person other than a person entitled to possess the same by reason of an exemption under section twenty-seven of this Act shall, without unnecessary delay, give to the Magistrate of the District, or to the officer in charge of the nearest Police-station, notice of the sale and of the purchaser's name and address.

### III.—Import, Export and Transport.

6. No person shall bring or take by sea or by land into or out of British India any arms, ammunition or military stores except under a license and in the manner and to the extent permitted by such license.

Nothing in the first clause of this section extends to arms (other than cannon) or ammunition imported or exported in reasonable quantities for his own private use by any person lawfully entitled to possess such arms or ammunition; but the Collector of Customs or any other officer empowered by the Local Government in this behalf by name or in virtue of his office may at any time detain such arms or ammunition until he receives the orders of the Local Government thereon.

*Explanation.*—Arms, ammunition and military stores taken from one part of British India to another, by sea or across intervening territory not being part of British India, are taken out of and brought into British India within the meaning of this section.

7. Notwithstanding anything contained in the Sea Customs Act, 1878, no arms, ammunition or military stores shall be deposited in any warehouse licensed under section 16 of that Act without the sanction of the Local Government.

## [Arms.]

Levy of duties on arms, &c., imported by sea. 8. [Repealed.] (a)

Power to impose duty on import by land. 9. [Repealed.] (b)

10. The Governor-General in Council may, from time to time, by notification in the *Gazette of India*,— Power to prohibit transport.

(a) regulate or prohibit the transport of any description of arms, ammunition or military stores over the whole of British India or any part thereof, either altogether or except under a license and to the extent and in the manner permitted by such license, and

(b) cancel any such notification.

*Explanation.*—Arms, ammunition or military stores transhipped at a port in British India are transported within the meaning of this section. Transhipment of arms.

11. The Local Government, with the previous sanction of the Governor-General in Council may, at any places along the boundary-line between British India and Foreign territory, and at such distance within such line as it deems expedient, establish searching posts at which all vessels, carts and baggage-animals, and all boxes, bales and packages in transit, may be stopped and searched for arms, ammunition and military stores by any officer empowered by such Government in this behalf by name or in virtue of his office. Power to establish searching-stations.

12. When any person is found carrying or conveying any arms, ammunition or military stores, whether covered by a license or not, in such manner or under such circumstances as to afford just grounds of suspicion that the same are being carried by him with intent to use them, or that the same may be used, for any unlawful purpose, any person may without warrant apprehend him and take such arms, ammunition or military stores from him. Arrest of persons conveying arms, &c., under suspicious circumstances.

Any person so apprehended, and any arms, ammunition or military stores so taken by a person not being a Magistrate or Police-Officer, shall be delivered over as soon as possible to a Police-Officer. Procedure where arrest made by person not a Magistrate or a Police-officer.

All persons apprehended by, or delivered to, a Police-Officer, and all arms and ammunition seized by or delivered to any such officer under this section, shall be taken without unnecessary delay before a Magistrate.

#### IV.—Going armed and possessing Arms, &c.

13. No person shall go armed with any arms except under a license and to the extent and in the manner permitted thereby. Prohibition of going armed without license.

Any person so going armed without a license or in contravention of its provisions may be disarmed by any Magistrate, Police-Officer or other person empowered by the Local Government in this behalf by name or by virtue of his office.

14. No person shall have in his possession or under his control any cannon or fire-arms, or any ammunition or military stores, except under a license, and in the manner and to the extent permitted thereby. [c] Unlicensed possession of fire-arms, &c.

(a) Repealed by Act. XI of 1892, S. 2 and Sch. I Re-Repealed by Act XII of 1891.

(b) Repealed by Act. XII of 1891.

(c) In Section 14 the last 3 paragraphs have been omitted, having been repealed by Act XII. of 1891.



## Arms.]

15. In any place to which section 32, clause 2, of Act No. XXXI of 1860 applies at the time this Act comes into force or to which the Local Government, with the previous sanction of the Governor-General in Council, may by notification in the Local official *Gazette* specially extend this section, no person shall have in his possession any arms of any description, except under a license and in the manner and to the extent permitted thereby.

16. Any person possessing arms, ammunition or military stores, the possession whereof by him has, in consequence of the cancellation or expiry of a license or by the issue of a notification under section fifteen, become unlawful, shall deposit the same without unnecessary delay with the officer in charge of the nearest Police-station.

If the owner of anything deposited under this section does not within three years from the date on which such thing is so deposited produce a license authorising him to possess the same and apply for delivery of the same, such thing shall be forfeited to Her Majesty.

## V.—Licenses.

17. The Governor-General in Council may from time to time, by notification in the *Gazette of India*, make rules to determine the officers by whom, the form in which, and the terms and conditions on and subject to which, any license shall be granted; and may by such rules among other matters—

(a) fix the period for which such license shall continue in force;

(b) fix a fee payable by stamp or otherwise in respect of any such license granted in a place to which section 32, clause 2, of Act No. XXXI. of 1860 applies at the time this Act comes into force, or in respect of any such license other than a license for possession granted in any other place;

(c) direct that the holder of any such license other than a license for possession shall keep a record or account, in such form as the Local Government may prescribe, of anything done under such license, and exhibit such record or account when called upon by an officer of Government to do so;

(d) empower any officer of Government to enter and inspect any premises in which arms, ammunition or military stores are manufactured or kept by any person holding a license of the description referred to in section five or section six;

(e) direct that any such person shall exhibit the entire stock of arms, ammunition and military stores in his possession or under his control to any officer of Government so empowered, and

(f) require the person holding any license or acting under any license to produce the same, and to produce or account for the arms, ammunition or military stores covered by the same when called upon by an officer of Government so to do.

18. Any license may be cancelled or suspended—

(a) by the officer by whom the same was granted, or by any authority to which he may be subordinate, or by any Magistrate of a District, or Commissioner of Police in a Presidency-town, within the local limits of whose jurisdiction the holder of such license may be, when, for reasons to be recorded in writing, such officer, authority, Magistrate or

## [Arms.]

Commissioner deems it necessary for the security of the public peace to cancel or suspend such license ; or

(b) by any Judge or Magistrate before whom the holder of such license is convicted of an offence against this Act, or against the rules made under this Act ; and

the Local Government may at its discretion, by a notification in the local official *Gazette*, cancel or suspend all or any licenses throughout the whole or any portion of the territories under its administration.

## VI.—Penalties.

19. Whoever commits any of the following offences (namely) :—

(a) manufactures, converts or sells, or keeps, offers or exposes for sale, any arms, ammunition or military stores in contravention of the provisions of section five ;

For breaches of sections 5, 6, 10, 13 to 17.

(b) fails to give notice as required by the same section ;

(c) imports or exports any arms, ammunition or military stores in contravention of the provisions of section six ;

(d) transports any arms, ammunition or military stores in contravention of a regulation or prohibition issued under section ten ;

(e) goes armed in contravention of the provisions of section thirteen ;

(f) has in his possession or under his control any arms, ammunition or military stores in contravention of the provisions of section fourteen or section fifteen ;

(g) intentionally makes any false entry in a record or account which, by a rule made under section seventeen, clause (c), he is required to keep ;

(h) intentionally fails to exhibit anything which, by a rule made under section seventeen, clause (e), he is required to exhibit ; or

(i) fails to deposit arms, ammunition or military stores, as required by section fourteen or section sixteen,

shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.

20. Whoever does any act mentioned in clause (a), (c), (d) or (f) of section nineteen, in such manner as to indicate an intention that such act may not be known to any public servant as defined in the Indian Penal Code, or to any person employed upon a Railway or to the servant of any public carrier,

For secret breaches of sections 5, 6, 10, 14, and 15.

and whoever, on any search being made under section twenty-five, conceals or attempts to conceal any arms, ammunition or military stores,

For concealing arms, &c.

shall be punished with imprisonment for a term which may extend to seven years, or with fine, or with both.

21. Whoever, in violation of a condition subject to which a license has been granted, does or omits to do any act shall, when the doing or omitting to do such act is not punishable under section nineteen or section twenty, be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

For breach of license.

**Arms.]**

22. Whoever knowingly purchases any arms, ammunition or military stores from any person not licensed or authorized under the proviso to section five to sell the same; or delivers any arms, ammunition or military stores into the possession of any person without previously ascertaining that such person is legally authorized to possess the same, shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

23. Any person violating any rule made under this Act, and for the violation of which no penalty is provided by this Act, shall be punished with imprisonment for a term which may extend to one month, or with fine which may extend to two hundred rupees, or with both.

24. When any person is convicted of an offence punishable under this Act, committed by him in respect of any arms, ammunition or military stores, it shall be in the discretion of the convicting Court or Magistrate further to direct that the whole or any portion of such arms, ammunition or military stores, and any vessel, cart or baggage-animal used to convey the same, and any box, package or bale in which the same may have been concealed, together with the other contents of such box, package or bale, shall be confiscated.

**VII.—Miscellaneous.**

25. Whenever any Magistrate has reason to believe that any person residing within the local limits of his jurisdiction has in his possession any arms, ammunition or military stores for any unlawful purpose,

or that such person cannot be left in the possession of any such arms, ammunition or military stores without danger to the public peace,

such Magistrate, having first recorded the grounds of his belief, may cause a search to be made of the house or premises occupied by such person or in which such Magistrate has reason to believe such arms, ammunition or military stores are or is to be found, and may seize and detain the same, although covered by a license, in safe custody for such time as he thinks necessary.

The search in such case shall be conducted by, or in the presence of, a Magistrate, or by, or in the presence of, some officer specially empowered in this behalf by name or in virtue of his office by the Local Government.

26. The Local Government may at any time order or cause to be seized any arms, ammunition or military stores in the possession of any person, notwithstanding that such person is licensed to possess the same, and may detain the same for such time as it thinks necessary for the public safety.

27. The Governor General in Council may from time to time, by notification published in the *Gazette of India*,

(a) exempt any person by name or in virtue of his office, or any class of persons, or exclude any description of arms or ammunition, or withdraw any part of British India, from the operation of any prohibition or direction contained in this Act; and

(b) cancel any such notification, and again subject the persons or things, or the part of British India, comprised therein to the operation of such prohibition or direction.

## [Arms.]

28. Every person aware of the commission of any offence punishable under this Act shall, in the absence of reasonable excuse, the burden of proving which shall lie upon such person, give information of the same to the nearest Police-officer or Magistrate, and

Information to be given regarding offences.

every person employed upon any railway or by any public carrier shall, in the absence of reasonable excuse, the burden of proving which shall lie upon such person, give information to the nearest Police-officer regarding any box, package or bale in transit which he may have reason to suspect contains arms, ammunition or military stores in respect of which an offence against this Act has been or is being committed.

29. Where an offence punishable under section nineteen, clause (f), has been committed within three months from the date on which this Act comes into force in any province, district or place to which section 32, clause 2, of Act XXXI of 1860 applies at such date, or where such an offence has been committed in any part of British India not being such a district, province or place, no proceedings shall be instituted against any person in respect of such offence without the previous sanction of the Magistrate of the District, or, in a Presidency-town, of the Commissioner of Police.

Sanction required to certain proceedings under section 19, cl. (f).

30. Where a search is to be made under the Code of Criminal Procedure 1882 [a] in the course of any proceedings instituted in respect of an offence punishable under section nineteen, clause (f), such search shall, notwithstanding anything contained in the said Code or Act, be made in the presence of some officer specially appointed by name or in virtue of his office by the Local Government in this behalf, and not otherwise.

Searches in the case of offences against section 19, clause (f), how conducted.

31. Nothing in this Act shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes an offence against this Act or the rules made under it, or from being liable under such other law to any higher punishment or penalty than that provided by this Act: Provided that no person shall be punished twice for the same offence.

Operation of other laws not barred.

32. The Local Government may from time to time, by notification in the local official *Gazette*, direct a census to be taken of all fire-arms in any local area, and empower any person by name or in virtue of his office to take such census.

Power to take census of fire-arms.

On the issue of any such notification, all persons possessing any such arms in such area shall furnish to the person so empowered such information as he may require in reference thereto, and shall produce such arms to him if he so requires.

Any person refusing or neglecting to produce any such arms when so required, shall be punished with imprisonment for a term which may extend to one month, or with fine which may extend to two hundred rupees, or with both.

33. No proceeding other than a suit shall be commenced against any person for anything done in pursuance of this Act, without having given him at least one month's previous notice in writing of the intended proceeding and of the cause thereof, nor after the expiration of three months from the accrual of such cause.

Notice an limitation of proceedings.

[a] The reference to Act X of 1875 and AV of 1877 are altered in accordance with Act X of 1882, S. 3.

## THE FIRST SCHEDULE.

## ENACTMENTS REPEALED.

(See Section 3.)

Number and year.	Title.	Extent of repeal.
XVIII of 1841	An Act for consolidating and amending the enactments concerning the exportation of Military Stores.	So much as has not been repealed.
XXX of 1854	An Act to provide for the levy of Duties of Customs in the Arracan, Pegu, Martaban and Tenasserim Provinces.	In the preamble, the words "and that the exportation of munitions of war from any of these Provinces into foreign States should be prohibited." Section 11.
XXXI of 1860	An Act relating to the manufacture, importation and sale of Arms and Ammunition, and for regulating the right to keep and use the same, and to give power of disarming in certain cases.	So much as has not been repealed.
VI of 1866	An Act to continue Act No. XXXI of 1860 (relating to the manufacture, importation and sale of Arms and Ammunition, and for regulating the right to keep and use the same, and to give power of disarming in certain cases), and for other purposes.	The whole.
III of 1872	The Santhál Parganas Settlement Regulation.	So much of the schedule <sup>[a]</sup> as relates to Act XXXI of 1860 and Act VI of 1866.
IX of 1874	The Arakan Hills District Laws Regulation, 1874.	So much of the schedule as relates to Act XVIII of 1841.
XV of 1874	An Act for declaring the local extent of certain Enactments, and for other purposes.	So much of the first schedule as relates to Act XVIII of 1841.

[a.] A new Schedule has since been substituted for the schedule here mentioned.

## THE SECOND SCHEDULE.

(See Section 8.)

					Rs. A.
(1)	Fire-arms other than pistols, for each	...	...	...	50
(2)	Barrels for the same, whether single or double, for each	...	...	...	30
(3)	Pistols for each	...	...	...	15
(4)	Barrels for the same, whether single or double, for each	...	...	...	10
(5)	Springs used for fire-arms, for each	...	...	...	8
(6)	Gun-stocks, sights, blocks and rollers, for each	...	...	...	5
(7)	Revolver-breeches, for each cartridge which they will carry	...	...	...	2 8
(8)	Extractors, nippers, heel-plates, pins, screws, tangs, bolts, thumb pieces, triggers, trigger-guards, hammers, pistons, plates, and all other parts of a fire-arm not herein otherwise provided for, and all tools used for cleaning or putting together or loading the same, for each	...	...	...	1 8
(9)	Machines for making or loading or closing cartridges, for each	...	...	...	10
(10)	Machines for capping cartridges, for each	...	...	...	2 8

*Exception.*—Articles falling under the 5th, 6th, 8th, 9th or 10th head of this schedule, when they appertain to a fire-arm falling under the 1st or 3rd head and are fitted into the same case with such fire-arm.



*Revised Notification No. 518, dated the 6th March 1879, and Rules under the Indian Arms Act, XI of 1878, corrected up to the 30th April 1894.*

I.—The Governor General in Council is pleased, under section 27, to exempt from the operation of all prohibitions and directions contained in sections 13, 14, 15, and 16 of "The Indian Arms Act, 1878," other than those referring to cannon, articles designed for torpedo service, war-rockets, and machinery for the manufacture of arms and ammunition, the undermentioned persons, namely,—

- (1) all Maharajas, Rajas, Nawabs, members of any Order of Knighthood ; all persons bearing a title conferred by the Government of India ; all persons who have been granted a sword in public Durbar ; all persons who received certificates on the 1st January 1877 ; all persons who are exempted from personal attendance at civil courts :

Home Department Notification No. 379,  
dated the 27th February 1894.

- (2) all Members or ex-Members of the Council of the Governor General or of the Governors of Madras or Bombay, or of the Council of the Lieutenant-Governor of Bengal, or of the North-Western Provinces and Oudh :

Home Department Notifications Nos.  
1012, dated the 29th February 1892, and  
No. 576, dated the 22nd June 1893.

- (3) all Military and Naval Officers, all Soldiers,\* Sailors, Volunteers, and such officers of the Police (including members of the Thagi and Dakaiti Department, Forest, Postal, Telegraph, Jail, Salt, Opium, and Excise Departments as the Local Government by general or special order may direct, subject to the proviso that the arms and ammunition carried or possessed by such persons shall be for their own personal use and not in excess of such quantities (if any) as may have been declared by the Governor-General in Council or the Local Government to be reasonable for them to carry or possess :

Home Department Notification No.  
1676, dated the 12th November 1883.

- (4) all Magistrates, Justices of the Peace, Honorary Magistrates, and Judicial Officers of or above the rank of Munsif ; and officers of the Public Works Department of and above the rank of Assistant Engineer :

- (5) all European and East Indian subjects of Her Majesty the Queen Empress ; all Armenians ; and all Americans and Europeans not British-born subjects of Her Majesty who are temporarily residing or travelling in India :

- (6) all Consuls, Consular Agents, all duly accredited Vakeels or Agents of Native States :

- (7) all ruling Chiefs on the occasions of their entering, or residing in, British India, with their retinues, to such numbers as may in each case be settled by the Political Officer under the orders of the Foreign Department, or of the Madras and Bombay Governments in respect to Chiefs whose political relations are with those Governments respectively ; and all officials of such Chiefs passing through British India on duty :

\* The terms "Soldiers" includes reservists (*vide* Home Department letter to the Government of the North-Western Provinces and Oudh, No. 758, dated 3rd June 1893).



## Arms.]

- (8) all pensioned officers of the Native Army and such pensioned officers of the Civil Departments as the Local Government by general or special order may direct, subject to the proviso that the arms and ammunition carried or possessed by such persons shall be for their own personal use and not in excess of such quantities (if any) as may have been declared by the Governor General in Council or the Local Government to be reasonable for them to carry or possess :—
- Home Department. Notification No. 1012, dated the 29th February 1892.

- (9) the following personages and their retainers :—

(a) the ancient zamindars and poligars of the Madras Presidency ;

(b) the Deccan and Southern Mahratta Country sirdars ;

Home Department Notification No. 379, dated the 27th February 1891.

(c) Rao Sheodarshan Singh of Gopalpura in the North-Western Provinces ;

(d) the great sirdars and jagirdars of the Punjab ;

- (d 1) such members of the Talpur family of Sind as the Government of Bombay

Home Department Notification No. 1068, dated the 4th March 1892.

may from time to time designate ;

(e) the zamindars of the scheduled districts in the Central Provinces ;

(f) the great zamindars of Bengal ;

(g) the Mahant of Tirupati, in the North Arcot District of the Madras Presi-

Home Department Notification No. 1316, dated the 2nd September 1886.

dency, and his retainers ;

Home Department Notification No. 379, dated the 27th February 1891.

(h) the retainers of—

Maharaja Mahendra Mahendra Singh, C.I.E., of Bhadawar ;

Raja Sir Dinkar Rao Mushir-i-Khas Bahadur, K.C.S.I. ;

Raja Rup Sah of Jagamanpur ;

Raja Ram Singh of Rampura ;

Raja Sardar Singh Bahadur of Katehia ;

Raja Atma Ram Baba Bahadur of Gursenai ;

His Highness Maharaja Sir Prabhu Narayan Singh, Bahadur, K.C.I.E., of Benares ;

Raja Hari Raj Singh of Kashipur ;

The Honourable Raja Udai Partab Singh, C.S.I., of Bhinga ; and

Raja Balwant Singh of Awa ;

The Oudh retainers of His Highness Raja Jagatjit Singh Bahadur of Kapurthala, Raji-i-Rajagan ;

subject to such orders as the respective Local Governments may issue

Home Department Notification No. 1745, dated 22nd November 1893.

regarding the personages to be included in these categories, and the number of

weapons and of retainers in each case :

\* Many additions have been subsequently made to this list on the recommendation of the Local Governments ; but the additional names are not printed here.—C. B., 15-5-80.

## [Arms.]

- (10) landholders and members of Municipal Boards or Committees of approved loyalty and of good position, according to lists that may from time to time be issued by the respective Local Governments:

Home Department Notification No. 379, dated 27th February 1894.

- (11) all heads of villages, ghatwals, dighwars, and other rural police, in respect of such arms as the Local Government may from time to time notify to be necessary for the discharge of their police duties:

Home Department Notification No. 1168, dated the 23rd July 1880.

[NOTE.— This clause does not apply to the Punjab.]

- (12) all persons of Coorg race; and all jumma tenure-holders in Coorg, who by their tenures are liable for police and military duties:

- (13) all subjects of the Baroda State, who may transport arms or ammunition from one part of Baroda territory to another part of the same territory, under a license granted by the Resident or Assistant Resident of Baroda:

- (14) all revenue officials and postal runners in frontier or wild districts where the superior departmental officers direct them to carry arms on duty:

- (15) Such subordinate officials of the Geological Survey of India as may from time to time be authorized by the Superintendent of the Geological Survey to possess or carry arms, the number and description of which should be specified in each case,

Home Department Notification No. 1754, dated the 19th October 1885.

- (16) the holders for the time being of the undermentioned offices—

The office of Dewan of Edar in the Mahi Kanta Agency;

The office of Private Secretary to His Highness the Maharaja of Edar;

Home Department Notification No. 68, dated the 15th January 1886.

- (17) all malikhana-holders in the Malabar District of the Madras Presidency.

Home Department Notification No. 827, dated the 15th June 1893.

- (18) all persons to whom fire-arms have been presented by the Chief Commissioner of Burmah:

- (19) Shan Sawbwas and other Native Chiefs and their retainers, subject to such orders as the Chief Commissioner of Burma may issue regarding persons to be included in this category or the number of retainers in each case.

The Governor-General in Council is pleased, under section 27 of the Indian Arms Act, 1878, to exempt from the operation of section 15 of the said Act the undermentioned persons, residents of

Cawnpore in the North-Western Provinces, in respect of a sword and a dagger which were granted to their father for good services rendered to Government:—

Rajbansi and Bindrahan, sons of the late Ram Baksh, Subadar Bahadur of the Nepal Escort.

## Arms.]

The Governor-General in Council is pleased, under the provisions of section 27 of

Home Department Notification No. 1201, dated the 22nd July 1831,

the Indian Arms Act, 1878, to exempt from the operation of any prohibition and direction contained in that Act all

Gurkha pensioners of Her Majesty's Indian Forces who reside in British India in respect of weapons known as *kūkris*.

II.—The Governor-General in Council is pleased under section 27, to exclude from the operation of any prohibition and direction contained in the Act :—

- (a) spears of all kinds, so far as regards the Presidency of Madras ;
- (b) weapons known as *kūkris* and *dhaoos*, so far as regards the Lieutenant-Governorship of Bengal ;

- (c) weapons known as “das,” being of a kind intended exclusively for domestic, agricultural, or industrial purposes, so far as regards Burma, and spears of all kinds, so far as regards

Home Department Notification No. 827, dated the 16th June 1833.

the Arakan Hill Tracts ;

- (d) swords, daggers, spears, *kūkris*, *dhaoos*, so far as regards the Chief Commissionership of Assam ;

- (e) bows and arrows ;

- (f) spears of all kinds in Bengal, and in the North-Western Provinces\* and Oudh, so far as regards districts or parts of districts which the Local Government may declare to come within this ex-

\* Home Department No. 201, dated the 12th February 1834.

emption ; and

Home Department No. 1010, dated the 23rd May 1879.

† Home Department Notification No. 790, dated the 7th April 1867.

Home Department Notification No. 760, dated the 19th May 1832.

\* Home Department Notification No. 1205, dated the 20th June 1830.

Home Department Notification No. 937, dated the 23rd June 1832.

- (j) ornamental arms of an obsolete pattern possessing only antiquarian value,

Home Department Notification No. 233, dated the 31st March 1831.

(g) *kūkris*, so far as regards the districts of Dehra Dun, † Kumaon, and Garhwal in the North-Western Provinces ;

(h) uniform swords and dirks manufactured\* in Europe of recognised military or official patterns ;

(i) swords imported for presentation as Army or Volunteer prizes ;

provided they are virtually useless for offensive and defensive purposes ;

(l) spears and hunting knives in the Bombay Presidency, the Central Provinces and Coorg.

Home Department Notification No. 895, dated the 21st May 1837.

Under section 27 of the Indian Arms Act, 1878, the Governor-General in Council

Home Department Notifications No. 591, dated the 29th April 1836, and No. 733, dated the 10th April 1894.

is pleased to exclude gunwads and wire-cartridges from the operation of section 6 of that Act.

## [Arms.]

Under section 27 of the Indian Arms Act, 1878, the Governor-General in Council is pleased to exempt from the prohibitions and

Home Department No. 1572, dated the 29th August 1879.

directions contained in section 6 of the said Act, such arms, ammunition, and military store brought into an Indian port as may be declared under manifest to be consignments without transshipment to another port, provided such other port be not situate on the coast of India, between the most westerly point of India and the most southerly point of Burma, and provided such port be not a foreign port on the eastern seaboard of Africa.

This exemption will become void in the event of any of the articles claiming such exemption being landed at, or transhipped in, the port into which they may have been brought.

Under section 27 of the Indian Arms Act, 1878, the Governor General in Council is pleased to exempt from the prohibitions and direc-

Home Department No. 75, dated the 14th January 1880.

tions contained in section 6 of the said Act, such arms, ammunition, and military stores, brought into an Indian port as may be declared under manifest to be consignments without transshipment to another Indian port, provided that the port to which such arms, ammunition, or military stores are consigned is one of the ports named in Rule 6.

This exemption will become void in the event of any of the articles claiming such exemption being landed at, or transhipped in, any port other than that to which the articles are consigned.

Arms, ammunition, and military stores brought into an Indian port and declared under manifest to be consignments without trans-

Home Department Notification No. 361, dated the 8th March 1882.

shipment to any port on the seaboard of the Persian Gulf, will, in terms of the Notification of the Home

Department No. 1572, dated 29th August 1879, be exempt, until further orders, from the prohibitions and directions contained in section 6 of the Indian Arms Act, 1878.

III.—The Governor-General in Council is pleased, under section 27, to withdraw from the operation of prohibitions and directions contained in the Act certain tracts as follows :—

- (a) All scheduled districts in the Madras Presidency from all prohibitions, and directions, save in respect to rifled arms and cannon and except those directions, contained in sections 12 and 25 ;
- (b) the Chittagong Hill Tracts of Bengal from the prohibitions and directions contained in sections 13 and 14 ;
- (c) all scheduled districts in the territories administered by the Lieutenant-

Home Department Notification No. 1472, dated the 18th September 1891.

Governor of the Punjab, except the following tracts, namely :—

- (1) the Hazára district excluding (a) the jagir of the Nawab of Amb, commonly known as Fendal Tanáwal (including the Phulera jagir), and (b) certain tracts and villages on the Hazára frontier specially notified by the Local Government,
- (2) the Cis-Indus tahsils of the Bannu and Dera Ismail Khan districts, and
- (3) Cantonments and Municipalities in the Bannu, Dera Ismail Khan, and Dera Gházi Khan districts,

from all prohibitions and directions contained in section 13 :

Arms.]

Provided that with respect to the Trans-Indus tahsils of the Bannu and Dera Ismail Khan districts, and to the Dera Ghāzi Khan district, the operation of the Act is not hereby withdrawn as to—

- (i) arms known as pistols and daggers, or
- (ii) arms of any kind as regards the class or persons known as Trans-Border Pathans :

(d) all scheduled districts in the territories administered by the Lieutenant-Governor of the Punjab, except the following tracts, namely :—  
the Hazara district excluding (a) the jagir of the Nawab of Amb, commonly known as Feudal Tanawal (including the Phulera jagir) and (b) certain tracts and villages on the Hazara frontier specially notified by the Local Government,  
from all prohibitions and directions contained in section 14 :

(e) in the North-Western Provinces the parts of the Mizapore District on the right bank of the river Sone, from the prohibitions and directions contained in section 14 ;  
Home Department Letter No. 2364, dated the 29th December 1892.

(f) the mahals of Angul and Banki in the Lower Provinces of Bengal from the prohibitions and directions contained in the sections 13 and 14 ;  
Home Department No. 2356, dated the 31st December 1870.

(g) Ajmere and Mhairwara from the operation of all prohibitions and directions contained in sections 13 and 14, except in so far as they relate to cannon ;  
Foreign Department No. 110-I.J., dated the 11th June 1870.

(h) the lands ceded to the British Government by the Bulawulpur State which are occupied by the North-Western Railway, and lie between the Stations of Bulhawulpur and Walhar, from the prohibitions and directions contained in sections 13—16: Provided nevertheless that no person who shall refuse or neglect to comply with the regulations or rules of the Railway for the time being in force regarding the custody of arms while in passenger trains shall be entitled to the benefit of this exemption.  
Home Department Notification No. 406, dated the 14th April 1883.

IV.—In exercise of the powers conferred by section 4 of the Indian Arms Act, 1878, the Governor-General in Council is pleased to extend—

(a) all sections of the Act to sulphur in quantities, exceeding in Burma, one seer, and elsewhere throughout British India, ten seers ;  
Home Department Notification No. 503, dated the 1st March 1888.

(b) sections 6, 10, 11, 12, 17, 19, 20, 22, 24, 25, 26, and 28 of the Act to all saltpetre and lead (except sheet lead used for the purpose of packing tea) in all districts on the external land frontier of British India and throughout Burma ; and

(c) all sections of the Act to all saltpetre and lead in the district and port of Aden.

In exercise of the powers conferred by section 4 of the Indian Arms Act, 1878, the Governor General in Council is pleased to extend sections 5, 7, 14, and 16 of the said Act to all saltpetre and lead (except sheet lead used for the purpose of packing tea) throughout Burma.

In exercise of the powers conferred by section 4 of the Indian Arms Act, 1878, the Governor-General in Council is pleased to declare that leaden bird-shot and bullets, when possessed in quantities exceeding 1 cwt. at any one time, throughout India, and in any quantity in Burma, shall be deemed to be military stores, within the meaning of the said Act, and shall be subject to the same restrictions as those placed on lead by clause (b) of Home Department Notification No. 508, dated the 1st March 1888.

Under section 17 of the Indian Arms Act, 1878, the Governor-General in Council is pleased to determine that licenses to import arms and ammunition and military stores in Aden shall be subject to the condition that such articles shall be landed at the Maala Pier only, and shall thence be removed by the importers to the Government warehouse appointed from time to time by the Resident for that purpose.

V.—The Governor-General in Council is pleased, under section 11, to sanction the establishment of searching stations at—

- (a) the land custom-houses near the boundary line between British India and the French settlements on the eastern and western coast and the Portuguese settlements on the western coast.

The Governor-General in Council is pleased, under section 9, to direct that at the said land custom-houses the duties specified in the second Schedule shall be levied.

VI.—The Governor General in Council is pleased, under section 17, to make the following rules determining the officers by whom, the form in which, and the terms and conditions on and subject to which licenses shall be granted :—

#### RULES.

##### TRANSPORT, IMPORT, AND EXPORT.

1. No cannon, articles designed for torpedo service, war-rockets or machinery for the manufacture of arms and ammunition shall be imported into British India, or transported over any part of British India, without a license granted by the Governor-General in Council under the signature of the Secretary to the Government of India in the Home Department. The license shall be in Form I appended to these Rules, and a copy shall be at once communicated to the Magistrate of the district, or to the Political Officer of the State to which the articles are consigned.

2. No arms or ammunition or military stores shall be transported in any part of British India without a license in Form II. appended to these Rules. If the articles are despatched from Calcutta, Madras, or Bombay, the license will be granted by the Commissioner of Police; in all other cases the license will be granted by the Magistrate of the district. If the articles are to be consigned to a place beyond the jurisdiction of the officer granting the license, the consent of the Magistrate of the district to which the consignment is made must be obtained before the license is issued. Such

**Arms.]**

consent may be obtained by the person applying for the license ; or the Police Commissioner, or District Magistrate to whom application for the license is made, may forward the proposed license to the officer whose consent is required ; and on receiving reply should either issue the license to the applicant, or inform him that his application for license to transport arms, etc., had been refused. The fee payable in respect of every such license shall be ten rupees.

Home Department Notification No. 114, dated the 25th January 1883.

Every consignment of arms or ammunition or military stores transported in any part of British India by Railway shall be conspicuously marked with the "Arms," "Ammunition" or "Military stores," as the case may be, in such a manner as to be readily recognizable by the Railway authorities. A copy of the license to transport the articles shall be attached to the way-bill when the consignment is booked as a parcel and to the invoice when booked as goods, and no consignment shall leave the Railway premises without the contents being verified and compared with the license by the Railway Police at the place of delivery. Telegraphic advice of every such consignment shall be sent to the receiving station by the Railway authorities at the forwarding station. [a]

3. Persons lawfully entitled to possess arms, or to go armed are permitted to transport, in any part of British India, arms and ammunition in reasonable quantities for their own use. Any person abusing this exemption, and transporting such articles otherwise than in reasonable quantities for his own use, will be held to have contravened this rule and will, on conviction, become liable to the penalties under sections 18 and 19.

3A. A person licensed to possess arms, ammunition, or military stores, or who is exempted from the liability to take out such a license, is entitled to transport to his residence, from the premises of a licensed dealer, arms, ammunition, or military stores without a separate transport license, so long as the articles purchased are in reasonable quantity and for his own use. A licensed dealer in arms, ammunition, and military stores may supply the order of any such person, and may without a separate transport license, send or despatch, in any way desired, to the residence of the purchaser the articles ordered by any such person, so long as they fulfil the requirements of Rule 3 and are legibly addressed to the person for whom they are intended.

[a] No. 414-23 R.

*Government of India.*

PUBLIC WORKS DEPARTMENT, RAILWAY.

*Fort William, January 28, 1878.*

Consignment of Arms and Ammunitions by Railways to places in Native States.

Read again—

Public Works Department, Resolution No. 1075-80 R of the 4th April 1877.

*Resolution.*—The Governor-General in Council is pleased to direct that, in the case of arms and ammunition tendered at Railway Stations not in British territory for delivery within the limits of a Native State, the consignments shall be accepted by the Railway authorities but that prompt information shall be given through the Police to the Political Officer of the locality who will take such action as may be necessary according to circumstances.

*Order.*—Ordered that this Resolution be forwarded to the Directors of State Railways for information and guidance ; also the Governments of Madras and Bombay in the Public Works Department (Railway) and the Consulting Engineers to the Government of India for Guaranteed Railways for information, and for communication to the Agents of the various Railway Companies for guidance.

Ordered also that this Resolution be forwarded to the Foreign and Home Departments for information.





## Arms.]

**6 C.** Licenses to import into British India by land, or river, arms (other than arms for which the Governor-General in Council is to issue licenses under Rule 5), ammunition or military stores, may be granted by the Magistrate of

Home Department Notification No. 865,  
dated the 8th June 1892.

the district to which such arms, ammunition, or military stores are consigned; or if such arms, ammunition, or military stores are consigned to a Presidency Town, by the Commissioner of Police. The fee payable in respect of each such license shall be rupees five; but officers granting such licenses are empowered to remit the fee when the arms, ammunition, or military stores are of a reasonable quantity, and such officers are satisfied that they are required *bond fide* for purposes of protection of person or property. In the case of arms, ammunition, or military stores imported from a Native State, a copy of the license shall be sent by the officer granting it to the Political Officer of the State from which they are to be imported. If the district to which the arms, ammunition or military stores are consigned is other than a frontier district, and they are to cross the frontier by road or river, a copy of the license shall also be sent to the Magistrate of the frontier district, who shall, if he thinks necessary, before permitting the arms, ammunition, or military stores to leave his district, require the holder of the license to produce them for his inspection. In cases in which the arms, ammunition, or military stores are to cross the frontier by rail, a copy of the license shall be sent to the Railway authorities at the place to which the arms, ammunition, or military stores are to be conveyed by Railway. The Railway authorities shall in every such instance satisfy themselves before delivery that the arms, ammunition, or military stores claimed by any consignee correspond with the description given in the original license, which must be produced by him, and also that the license is identical in substance with the copy sent to them by the officer granting it. If the license is not produced, or the arms, ammunition, or military stores claimed do not correspond with the description in the license, the Railway authorities shall give immediate notice of the fact to the nearest Magistrate. Nothing in this rule applies to import into the district of Ajmere.

The license shall be prepared in Form III A appended to these Rules.

Home Department Notification No. 488,  
dated the 7th March 1894.

**6 D.** Notwithstanding anything in Rule 6—

- (a) a license to export ammunition or military stores, or to export arms other than cannon or than such rifles as come within the operation of Rule 5 of these Rules, from the port of Calcutta, Madras, Bombay, Rangoon, Calicut, Karachi or Aden to any port in a Native State in India, or to any port in foreign territory except a port on the coast of Africa, or on the coast of Arabia, other than a port on the latter coast which is within the area of the political jurisdiction of the Political Resident in the Persian Gulf or of the Political Resident in Turkish Arabia, may be granted by the Secretary to the Government of India in the Foreign Department or by any officer specially empowered in this behalf by the Governor-General in Council; and

- (b) a license to export ammunition or military stores, or to export arms other than cannon or than such rifles as aforesaid from the port of Aden to any port on the coast of Arabia or Africa may, under the authority of the Government of India certified to by the Secretary in the Foreign Department, be granted by the Political Resident at Aden.

7. Licenses to export cannon,<sup>a</sup> arms or ammunition or military stores<sup>b</sup> by land or by river to any place beyond the frontier of British

<sup>a</sup>Home Department Notification No. 1892, dated the 25th November 1891.

<sup>b</sup>Home Department Notification No. 1802, dated the 1st December 1893.

India, or to any place within the limits of the feudatory States, and licenses to import arms or ammunition or military stores into, or to export the same out of, the district of Ajmere, may be granted by the Secretary to the Government of India in the Foreign Department, or by any other officer specially empowered by the Government of India to grant them.

Licenses to export arms or ammunition or military stores by land or by river to any place within the political jurisdiction of the Governments of Madras and Bombay may be granted by the Secretaries to the Governments of Madras and Bombay respectively copies of such licenses being sent to the Foreign Department of the Government of India for information. These licenses will be valid only for the State named in them, and no export beyond the limits of that State can be permitted under them.

Licenses granted under this rule will be prepared in Form V, and be charged with a fee of rupees five except in such cases as the Government of India in the Foreign Department may grant exemption from, or reduction of, the prescribed fee. Licenses to import arms, ammunition, or military stores into Ajmere will also be granted in Form V, the word export in the heading of the license being changed into import.

Copies of such licenses shall be sent on the day of issue to the Political Officer of the State to which the articles are to be exported, and in the case of imports into Ajmere to the Commissioner of the district. Copies shall also be sent to the Magistrate of the frontier district if the articles are to cross the frontier by road or river. If the articles are to be carried across the frontier by rail, a copy of the license should, in the case of consignments despatched from Presidency Towns, be sent to the Commissioner of Police, and in other cases to the Magistrate of the district from which the articles are to be despatched. In such cases the Commissioner of Police, or the Magistrate of the district, as the case may be, should at once forward a copy of the license to the Railway authorities at the place of despatch. No Railway Company shall receive for despatch any box, package, or bale containing arms, ammunition or military stores as defined in the Arms Act and the rules framed thereunder, unless covered and accompanied by the original license granted under these rules; and the Railway authorities shall in every instance satisfy themselves that the goods tendered to them for transport correspond to the description given in such license, and that the license is identical with that forwarded to them by the Commissioner of Police or Magistrate of the district.

<sup>a</sup>Home Department Notification No. 865, dated the 8th June 1892.

7 A. Nothing in Rules 5, 6, 6C, or 7 shall be deemed to authorise the grant of licenses—

- (a) to import any arms, ammunition, or military stores from Portuguese India;
- (b) to export to Portuguese India by sea, river, or land, any arms, ammunition, or military stores, except the same be exported for the exclusive use of the Government of Portuguese India, or are covered by a special license for import into Portuguese India signed by the Secretary General to the Government of Portuguese India.

Foreign Department Resolution No. 2158 I, dated 30th May 1899.

Foreign Department Resolution No. 1465 I, dated 1st May 1893.

[NOTE.—Similar powers have been conferred on the Secretaries to the Governments of Bengal, the North-Western Provinces and Oudh, and Punjab, and the Chief Commissioner of the Central Provinces.]

## Arms.]

8. Persons desirous of transporting, importing by land or river, or exporting arms, ammunition, or military stores must apply in writing to the nearest officer authorised to grant such licenses. The application must specify—

- (a) the place to which the articles are to be transported, imported, or exported; the route of transport, import, or export, and the probable time that will be occupied in the journey;
- (b) the quantity, description, average price, and the purpose of each kind of arms or ammunition; or
- (c) in the case of transport or export, whether the applicant has obtained the consent of the Magistrate or Political Officer of the place of consignment. (If so, the evidence of such consent must be produced.)

9. Persons transporting, importing by land or river, or exporting arms, ammunition, or military stores under a license, must write legibly on the cases or packages containing such articles an account of their contents.

10. In the case of transport, or import by land or river, the consignee must, within six days of the articles reaching their destination, deliver the transport or import license to the Magistrate of the district, or, in the case of a Presidency Town, to the Commissioner of Police. In the case of articles crossing the frontier of British India by road or river—(1) the export license must, within six days of the consignment reaching the frontier district, and before it leaves British territory, be delivered [by the assignee or his agent, or, if the arms, ammunition or military stores are in charge of any person travelling with them, by that person] (a) to the Magistrate of the frontier district, or other officer empowered by him on this behalf; (2) the import license must, within six days of the consignment entering British territory, be shown to the Magistrate of the frontier district, or other officer empowered by him on this behalf.

The officer to whom the transport, import, or export license, as the case may be, may be delivered, must satisfy himself that the articles correspond with the entries in the license, and that any deficiency is properly accounted for.

10A. Licenses may be granted to persons without payment of any fee in all districts

Home Department Notification No. 1892,  
dated the 29th November 1892.

\* Home Department Notification No. 1367,  
dated the 14th September 1883.

on the external land frontier of British India and in the seaboard districts of Burma, entitling the holder to import or transport lead<sup>c</sup> in reasonable quantities, when the same is proved to the satisfaction of the officer granting the license to be required *bonâ fide* for manufacturing or industrial purposes, and to import and transport saltpetre in reasonable quantities when the same is proved to the satisfaction of the officer granting the license to be required *bonâ fide* for manufacturing, medicinal, or industrial purposes.

10B. In the case of arms, ammunition, or military stores brought into the ports of

Home Department Notification No. 574,  
dated the 4th April 1884.

Calcutta, Madras, Bombay, Rangoon, Calicut, Karachi, and Aden, and declared under manifest to be consignments without transshipment for ports not covered by the exemptions granted under Home Department, Notifications No. 1572 of the 29th August 1879, and No. 75,

[a] These bracketed words were inserted by Notification No. 987, dated 1st June 1894, *Gazette of India*, Part I for 1894, p. 295.

dated 14th January 1880, a license in the Form V A annexed, covering the import and export of such consignments, shall be granted free of fee. Also, that a license in the Form V B annexed shall in like manner be granted free of fee in the aforesaid ports of Calcutta, Madras, Bombay, Rangoon, Calicut, Karachi, and Aden to cover the transshipment of arms, ammunition, or military stores destined for other ports, provided that, if it is necessary to land any consignment in the course of transshipment, it shall be placed in bond, such fees being paid for stowage and other expenses as the Chief Customs authority may prescribe.

#### MANUFACTURE AND SALE.

11. Licenses to manufacture, convert, keep, and sell arms or ammunition or military stores may be granted by Commissioners of Police in the Presidency Towns, and by the Magistrate of the District outside those towns. They shall be in Forms VI and VII appended to these rules. The fee, payable in stamps, shall be twenty rupees in respect of licenses to manufacture, convert, and sell, and ten rupees in respect of licenses to keep and sell arms, ammunition, or military stores. Every license-holder under this rule shall keep, in such form as the Local Government may from time to time direct, registers of all arms manufactured or converted, of all ammunition and military stores manufactured, or all stock in hand, and of all sales. He shall exhibit his stock and his registers on demand by any Magistrate or by any Police officer not below the rank of Inspector. Magistrates and all Police officers not below the rank of Inspector are hereby empowered to enter and inspect any premises within their several jurisdictions in which arms or ammunition or sulphur are manufactured or kept, and to examine the stock and accounts of receipts and sales of arms, ammunition, and military stores. Any person licensed to sell arms and ammunition shall affix, on a conspicuous part of his shop or usual place of business, a sign-board on which shall be painted in large letters in English, or in the vernacular of the district, his name and the words "Licensed to manufacture," or "Licensed to deal in arms, ammunition, and military stores," as the case may be. He shall also post up in his shop a copy of section 28 of the Indian Arms Act either in the vernacular of the district or in English.

#### POSSESSION OF ARMS, AND GOING ARMED.

[NOTE.—For rules and forms applicable to Burma, see Appendix—Notifications of 10th March and 31st October 1893.]

12. Licenses to possess cannon shall not be granted, save under the special order of the Governor-General in Council, certified under the signature of the Secretary to the Government of India in the Home Department. A copy of such license, so certified, must be sent immediately on its issue to the District Magistrate of the place where the cannon is to be kept.

13. Licenses to possess arms and ammunition in reasonable quantities, and to go armed for purposes of sport, of protection, or of display may be granted by the Commissioner of Police in the Presidency Towns, and by the Magistrate of the district outside those towns in Form VIII. Such licenses shall be liable to a fee of eight annas for each weapon in disarmed districts, and to a fee of four annas for each weapon in districts which have not been disarmed. Such a license will authorise its holder to carry the arms described in the license, on occasions when they may be reasonably required for the

## Arms ] /

purposes named in the license. But the holder, unless specially authorised by the Magistrate, must not go armed in Railway carriages, to fairs, religious processions, or other public assemblages. Licenses granted under this rule shall, on countersignature by the Commissioner of the division, or other officer authorised in this regard by the Local Government where there are no Commissioners, shall be valid for all the districts of the Local Government within the territories of which the license may have been granted.

**13A.** Licenses to possess and carry arms in places to which section 15 of the Indian Home Department Notification No. 620, Arms Act, 1878, applies, may be granted by the District Magistrate, on plain paper and without fee, to the heirs of persons to whom arms have been presented by or under the orders of Government, in respect of any such arms which they may inherit. Such licenses shall be granted in Form VIII, prescribed by Rule 13.

**14.** Any Commissioner of Police or Magistrate of the district may grant a license in Form IX for a journey, specifying the direction of the journey and the period it will occupy. Such license will be valid in other jurisdictions only for such journey and for such period, and will be liable to a fee of four annas for each weapon. Political Agents may grant licenses under this rule to natives of the States where they may be serving; and such licenses granted for journeys by Political Agents shall be liable to no fee. Holders of licenses under this rule, unless specially authorised by the officer granting the licenses, must not go armed in Railway carriages, to fairs, religious processions, or other public assemblages.

**15.** Licenses to possess firearms or ammunition or military stores in districts which have not been disarmed may be granted in Form X without fee. Such licenses will not authorise the holders to go armed, or to carry arms. In districts which have not been disarmed, as well as in disarmed districts, licenses to possess and carry arms (Form VII) will be liable to fees as stated in Rule 13.

**16.** Licenses for possession of arms and ammunition may be granted in Form XI, without fee, and for a term of five years, to persons who require arms for the destruction of wild animals which do injury to human beings, cattle, or crops. Such licenses will be valid only in, or on the immediate confines of, the district for which it is granted. It will be subject to the conditions that the license and the weapon it covers is shown once a year, between the 15th November and the 31st December, to the nearest Magistrate; that the weapon becomes confiscated to Government directly it is sold or seized in execution of any debt; and that such weapon is carried only on occasions when it is to be used *bona fide* for the destruction of wild animals. Holders of licenses under this rule must not go armed in Railway carriages, to fairs, religious processions, or other public assemblages.

**16A.** Licenses may be granted to contractors,\* cultivators, and other persons, without payment of any fee, entitling the holder to possess and transport gunpowder and fuses in reasonable quantities, when the same are proved to the satisfaction of the officer granting the license to be required *bona fide* in the case of licenses granted to contractors for blasting purposes and in the case of licenses granted to cultivators and persons for similar purposes in connection with agricultural works or works of public utility. Such licenses shall be given in Form No. XII appended to these Rules.

Home Department Notification No. 1311, dated the 1st September 1882.

\* Home Department Notification No. 1418, dated the 15th September 1882.

16B. Licenses may be granted to contractors and other persons without payment of any fee, entitling the holder to transport dynamite, blasting gelatine, and detonating caps in reasonable quantities when the same are proved to the satisfaction of the officer granting the licenses to be required *bona fide* for blasting purposes. Such licenses shall be given in Form No. XII appended to these Rules.

16C. Licenses for the importation, possession, or transport of sulphur, proved to the satisfaction of the Local Government or Administration concerned, to be intended only for *bona fide* medicinal † manufacturing, or agricultural purposes, may be granted without payment of any fee. This concession does not extend to sulphur intended for the manufacture of gunpowder ammunition generally as defined in section 4 of the Indian Arms Act, 1878,

Home Department Notification No. 100, dated the 24th January 1883.  
 Home Department Notification No. 1617, dated the 7th October 1891.  
 † Home Department Notification No. 1194, dated the 7th August 1892.  
 Home Department Notification No. 1940, dated the 11th December 1892. (Act No. XI of 1878.)

16D. The Governor-General in Council is pleased to declare that, so far as the district of Ajmere-Mhairwara is concerned, the licenses referred to in Rules 1, 5, and 12 shall in future be granted under the signature of the Secretary to the Government of India in the Foreign Department.

#### GENERAL.

17. The fees leviable under these rules shall be taken in the shape of "impressed stamps." Ordinarily the applications for licenses or renewals of licenses shall be written on "impressed stamps" of value equal to the amount of fee leviable in respect of such licenses or renewals; and the licenses will be issued on plain paper. But when the licenses themselves are written or printed on "impressed stamps," the applications may be on plain paper. When an application for a license is written on an "impressed stamp," and the license is refused, the value of stamp will be refunded to the applicant.

18. Applications for license in respect of which no fee is leviable, or regarding licenses on which the full fee has been paid, shall be considered to be applications within meaning of Schedule II, Article I, clause (a), of "the Court Fees Act, 1870," and shall bear a court-fee stamp of one anna.

19. All licenses under Rules 11 and 13 shall expire on the 31st December of the year for which they may be issued; licenses under Rule 16 shall expire on the 31st December of the fifth year of their currency. But the currency of a license may be renewed, previous to its expiration, on payment of a second fee by the same authority that granted it.

In Burma licenses to possess and carry arms and sell arms, ammunition or military stores shall expire on the 31st March.

19A. When a license granted in accordance with these rules is lost, or accidentally destroyed, a duplicate may be granted to the licensee on payment of the same fee as he paid on the original license if not in excess of one rupee, and in any other case on payment of a fee of one rupee. Cultivators or other persons to whom licenses may have been granted

Home Department Notification No. 828, dated the 15th June 1893.

Home Department Notification No. 1435, dated the 15th September 1892.

## Arms.]

without payment of any fee may obtain duplicates of such licenses, if lost or destroyed free of all fee.

19B. In Lower Burma licenses under Rule 13 may be current for such period, not exceeding five years, as the Deputy Commissioner shall in each case decide, provided that no such license shall be current for less than one year.

20. All licenses shall be given and held subject to the conditions endorsed on the reverse, and subject to these rules and subject to the provisions of the Act. Licenses under Rules 13 and 16 may be granted, subject to the observance of a close season in the pursuit of game-birds or animals that do not injure either men or cattle or crops. The limits of the close season will be decided by the Local Government, and the condition regarding such close season, if imposed, shall be endorsed on the reverse of the license.

21. Any person holding a license, or acting under a license, granted in accordance with these rules, shall be bound to produce the same, when called upon to do so by any Magistrate, or by any Police officer in charge of a police station, or by any Police officer of higher rank.

22. Licenses granted for use within a district shall be written or printed in the vernacular language of such district. Licenses granted in a Presidency Town, or for use beyond the district where they may be granted, shall be in English, and may be in the vernacular as well.

23. The Assistant Resident at Aden shall exercise the powers of a Magistrate in respect of the grant of licenses under these rules.

24. A license granted under these rules will cover only the weapons, or other articles, and the persons named therein, unless the officer granting a license under Rule 13 or 14 deems it expedient to include the retainers of any person named in the license; in such case the entry on the face of the license shall declare how many and whose retainers are covered by the license.

25. Any officer empowered to grant a license under these rules may at his discretion refuse to grant, to renew, or to consent to the issue of, a license, or may refer any application for the orders of the Local Government.

26. All Magistrates or other authorities acting under these rules will perform their duties subject to the control of their executive superiors and of the Local Government.

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[Arms.]

## FORM I.

*License to Import, or Transport, or Possess Cannon, Articles designed for Torpedo Service, War-rockets, or Machinery for the manufacture of Arms or Ammunition.*

Name, etc., of license-holder and agent, if any, with residence, etc.	Number of packages.	Specification of calibre, etc., of cannon or other articles.	Number of articles.	Place of despatch and route.	Destination.	Name and residence of consignee.	Time for which pass is valid.	Use to which articles are to be put and specification whether the license covers importation, or transport, or possession.
							From the _____	
							to the _____	
							_____ 189 .	

\_\_\_\_\_ } Date on which copy  
 \_\_\_\_\_ } is sent to the District  
 \_\_\_\_\_ } Magistrate of the dis-  
 189 . } trict or to the Politi-  
 \_\_\_\_\_ } cal Officers of the  
 \_\_\_\_\_ } State to which the  
 \_\_\_\_\_ } articles are consigned.

Secy. to the Govt. of India,

Home Dept.

\_\_\_\_\_ 189 .



**Arms.]**

This license is subject to all the provisions of "The Indian Arms Act, 1878," and of the rules framed thereunder.

This license will be void after the expiration of the period named, or if bulk is broken before reaching the place of destination.

The articles covered by this license will be delivered only to persons lawfully entitled to possess them.

This license must be delivered to the Magistrate of the district to which the articles are consigned, or to the Magistrate of the district where the external frontier of India is to be crossed, and the articles must be available for exhibition to such Magistrate, within six days of the consignment reaching his district.

[Arms.]

## FORM II.

FEE TEN RUPEES IN STAMPS.

*License to Transport Arms, Ammunition, or Military Stores in British India.*

Name, etc., of license-holder and agent, if any, authorised for the purpose of this consignment.	Place of license-holder's business.	Number of packages.	ARMS.		AMMUNITION.		Place of despatch, route, and mode of transit.	Time for which pass is valid.	Destination.	Name and residence of consignee.
			Description.	Number.	Description.	Number or weight in seers.				
								From the _____		
								to the _____		
								_____ 189 .		

Date on which consent was given by the \_\_\_\_\_

\_\_\_\_\_ of the \_\_\_\_\_

\_\_\_\_\_ where \_\_\_\_\_

is the place of consignment.

\_\_\_\_\_ place of despatch.

The \_\_\_\_\_ 189 .

The \_\_\_\_\_ 189 .

Seal.

## Arms.]

This license is subject to all the provisions of "The Indian Arms Act, 1878," and of the rules framed thereunder.

This license is void after the expiration of the period named, or if bulk is broken before reaching the place of destination, or if the articles are taken by any route other than is specified on the license.

The contents of each package covered by this license must be described in legible letters on the outside of such package.

The articles covered by this license will be delivered only to persons lawfully entitled to possess the same.

This license must be delivered to the Magistrate of the district to which the articles are consigned, and the articles must be available for exhibition to such Magistrate within six days of the consignment reaching his district.

The officer granting this license must send a copy thereof on the day of issue to the Magistrate of the district as above described.

When the license is granted for transport within the limits of the same district, the license must be given up to the local Magistrate (if any) having jurisdiction in the place to which the articles are consigned, who will satisfy himself that the conditions have been complied with and return the license to the District Magistrate. The District Magistrate will send copies of any license granted by him for transport within the district to the local Magistrate having jurisdiction. Where there is no local Magistrate the license must be returned to the Magistrate of the district.

Home Department Notification No. 1527,  
dated the 16th September 1894.

[Arms.]

## FORM III.

FEE TEN RUPEES IN STAMPS.

License to Import Arms, Ammunition, or Military Stores into the Port of \_\_\_\_\_

Name, etc., and address of license-holder.	Number of packages.	ARMS.		AMMUNITION AND SULPHUR.		Purpose for which required.	Value of the cheapest fire- arms per piece.	Place where articles are to be deposited, or to which they are to be despatched.	Period for which the license is valid.
		Description.	Number.	Description.	Weight in seers or number.				
									From the _____th of _____ to the _____th of _____ _____ 189 .

The \_\_\_\_\_ of \_\_\_\_\_

\_\_\_\_\_ 189 .

Seal.

(Signature)

\_\_\_\_\_ of \_\_\_\_\_

## Arms.]

This license is given subject to the provisions of "The Indian Arms Act, 1878," and the rules framed thereunder.

This license becomes void after expiry of the period named thereon.

This license is valid for importation only; if the articles named herein are to be transported to any place outside the Presidency Town, they must be protected by another pass for transport or export by land.

The contents of each package covered by this license shall be described in legible letters on the outside of such package.

[a] The arms, ammunition, or Military Stores, covered by this license shall either be deposited in a warehouse appointed under Section 15 of the Sea Customs Act, 1878, or in a warehouse licensed under Section 16 of the same Act, and sanctioned in this regard under Section 7 of "The Indian Arms Act, 1878," or shall be at once despatched to their destination under a separate license to transport.

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[a] This condition was added by Notification 1427 of 28th August 1894. *Gazette of India* for 1894, Part. I, page 490.

[Arms.]

## FORM III A.

FEE FIVE RUPEES IN STAMPS.

*License to Import Arms, Ammunition, or Military Stores by River or Land.*

Name, etc., of license-holder and agent, if any.	Number of packages.	ARMS.		AMMUNITION OR MILITARY STORES.		Place of despatch and route.	Purpose for which consignment is required.	Destination.	Name and residence of consignee.	Period for which license is valid.
		Description.	Number.	Description.	Weight or number.					
										From _____ of _____ 189 , to the _____ of _____ 189 .

(Signature)

e \_\_\_\_\_ 189 .

Seal.

Magistrate of \_\_\_\_\_ District,

or

Commissioner of Police \_\_\_\_\_

## Arms.]

This license is valid only for the period and the route named herein.

It becomes invalid if bulk is broken, or the consignment is stopped at any place on the journey.

It is given subject to the provisions of "The Indian Arms Act, 1878," and of the rules framed thereunder.

The contents of each package covered by this license shall be described in legible characters on the outside of such package.

This license must be delivered to the District Magistrate or the Commissioner of Police when the articles covered by it reach their destination. In the case of consignments crossing the frontier by road or river, the articles must, within six days of their reaching British territory, be available for exhibition to the frontier Magistrate, or other officer whom he may empower in this behalf. In case of consignments crossing the frontier by rail this license must be shown to the Railway authorities of the station of delivery.

[Arms.]

## FORM IV.

FEE TEN RUPEES IN STAMPS.

*License to Export Arms, Ammunition, or Military Stores by Sea from the Port of* \_\_\_\_\_

Name, etc., and address of license-holder.	Number of packages.	ARMS.		AMMUNITION AND SULPHUR.		Port to which consignment is to be despatched.	Period for which license is valid.
		Description.	Number.	Description.	Weight in seers.		
							From the _____ th of _____ to the _____ th of _____ _____ 189 .

Date on which copy of the license was despatched by the licensing officer to the Indian Port (if any) to which the consignment is to be despatched,


 Seal.

(Signature)

The \_\_\_\_\_ th, of

\_\_\_\_\_ 189 .

\_\_\_\_\_ of \_\_\_\_\_



## Arms.]

This license is valid only for the period and the route named herein.

It becomes invalid if bulk is broken, or the consignment is stopped at any place on the journey.

It is given subject to the provisions of "The Indian Arms Act, 1878," and of the rules framed thereunder.

The contents of each package covered by this license shall be described in legible characters on the outside of such package.

This license must be delivered to the District Magistrate or the Commissioner of Police when the articles covered by it reach their destination. In the case of consignments crossing the frontier by road or river, the articles must, within six days of their reaching British territory, be available for exhibition to the frontier Magistrate, or other officer whom he may empower in this behalf. In case of consignments crossing the frontier by rail this license must be shown to the Railway authorities of the station of delivery.

[Arms.]

FORM IV.

FEE TEN RUPEES IN STAMPS.

*License to Export Arms, Ammunition, or Military Stores by Sea from the Port of* \_\_\_\_\_

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## Arms.]

This license is valid only for the period and the route named herein.

It becomes invalid if bulk is broken, or the consignment is stopped at any place on the journey.

It is given subject to the provisions of "The Indian Arms Act, 1878," and of the rules framed thereunder.

The contents of each package covered by this license shall be described in legible characters on the outside of each package.

This license must be delivered to the District Magistrate or the Commissioner of Police when the articles covered by it reach their destination. In the case of consignments crossing the frontier by road or river, the articles must, within six days of their reaching British territory, be available for exhibition to the frontier Magistrate, or other officer whom he may empower in this behalf. In case of consignments crossing the frontier by rail this license must be shown to the Railway authorities of the station of delivery.

[Arms.]

## FORM IV.

FEE TEN RUPEES IN STAMPS.

*License to Export Arms, Ammunition, or Military Stores by Sea from the Port of* \_\_\_\_\_

Name, etc., and address of license-holder.	Number of packages.	ARMS.		AMMUNITION AND SULPHUR.		Port to which consign- ment is to be des- patched.	Period for which license is valid.
		Description	Number.	Description.	Weight in seers.		
							From the _____th of _____ to the _____th of _____ _____ 189 .

Date on which copy of the  
license was despatched by  
the licensing officer to the  
Indian Port (if any) to  
which the consignment is  
to be despatched,


 Seal.

(Signature)

The \_\_\_\_\_th of \_\_\_\_\_

\_\_\_\_\_ 189 .

\_\_\_\_\_ of \_\_\_\_\_

Arms.]

This license is not valid for export to any Indian Port, other than that named on the license.

[Arms.]

## FORM V.

EE FIVE RUPEES IN STAMPS.

*License to Export Arms, Ammunition, or Military Stores under Rule 7 of the Rules made under Section 17 of the Indian Arms Act, 1878.*

Name, etc., of license-holder and agent, if any.	Number of packages.	ARMS.		AMMUNITION OR MILITARY STORES.		Place of despatch and route.	Purpose for which consignment is required.	Destination.	Name and residence of consignee.	Period for which license is valid.
		Description.	Number.	Description.	Weight or number.					
										From the _____ of _____ 189 to the _____ of _____ 189

The \_\_\_\_\_ 189 .

*Secy. to the Govt. of India, Foreign Dept.*

(Foreign Department Notification No 162 I, J., dated 25th June 1879.)

Arms.]

Home Department Notification No. 1533,  
dated 25th November 1891.

It is valid only for the period and the  
route named therein.

It becomes invalid if bulk is broken, or the consignment stopped at any place  
on the journey.

It is given subject to the provisions of "The Indian Arms Act, 1878," and of  
the rules framed thereunder.

The contents of each package covered by this license shall be described in  
legible characters on the outside of such package.

The license must be delivered to the Railway authorities or to the frontier  
District Magistrate, or other officer empowered by him to receive export licenses  
on his behalf as provided in Rules 7 and 10. In the case of consignments crossing  
the frontier by road or river, the articles must be made available for exhibition to  
the frontier Magistrate or other principal officer within six days of their reaching  
the frontier district, and before they leave British territory.





**Arms.]**

This license is given subject to the provisions of "The Indian Arms Act, 1878," and the rules framed thereunder.

The contents of each package covered by this license must be described in legible letters on the outside of such package.

FREE OF ALL FEE.

License to Tranship (with permission to land in bond) Arms, Ammunition, or Military Stores in the Port of \_\_\_\_\_.

	Name of Master of vessel or Agent in whose favour license is granted.				
	Name of vessel (1) from which and (2) to which transhipped.				
	Number of packages.				
	<table border="1"> <tr> <th colspan="2">ARMS.</th></tr> <tr> <td>Description.</td><td>Number.</td></tr> </table>	ARMS.		Description.	Number.
ARMS.					
Description.	Number.				
	<table border="1"> <tr> <th colspan="2">AMMUNITION.</th></tr> <tr> <td>Description.</td><td>Number or weight.</td></tr> </table>	AMMUNITION.		Description.	Number or weight.
AMMUNITION.					
Description.	Number or weight.				
	Whether to be landed in bond or not.				
	Destination.				
	Name and residence of consignee.				
	Remarks.				

(Signature)

Magistrate of the \_\_\_\_\_ District,

or

The \_\_\_\_\_ 189 .

Commissioner of Police,

(Home Department Notification No. 574, dated 4th April 1884.)

Seal.

**Arms.]**

This license is given subject to the provisions of "The Indian Arms Act, 1878," and the rules framed thereunder.

The contents of each package covered by this license must be described in legible letters on the outside of such packages.

The license will be void if, on being landed, the articles covered by it are not placed in bond.

FORM VI.

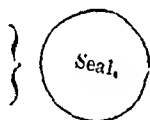
FILE TWENTY RUPLES IN STAMPS.

*License to Manufacture, Convert or Sell, or to keep for Sale, Arms, Ammunition or Military Stores.*

Serial number of license.	Name and residence of license-holder.	Place of business, factory or shop.	DESCRIPTION OF ARMS		DESCRIPTION OF AMMUNITION OR MILITARY STORES		Date on which license expires.
			to be manufactured or converted.	to be sold or kept for sale.	to be manufactured.	to be sold or kept for sale.	
							The 31st of December 189 .

District \_\_\_\_\_

189 .



(Signature)

*of*

*Form of renewing the License.*

[illegible]

## Arms.]

1. This license is given subject to the provisions of "The Indian Arms Act, 1878," and the rules framed thereunder. The attention of the holder is drawn to the sections of the Act quoted separately below.

2. He shall keep registers of all arms manufactured or converted, of all ammunition and military stores manufactured, of all stock in hand and of all sales, in such forms as the Local Government may direct.

3. He shall exhibit his stock and his registers on demand by any Magistrate, or by any Police officer not below the rank of Inspector.

4. If any arms or ammunition covered by this license are lost or stolen, he shall at once give notice at the nearest Police station.

*N.B.*—This condition may be omitted at the discretion of the Local Government.

5. He shall affix on a conspicuous part of his shop, or usual place of business, a sign-board on which shall be painted in large letters in English and in the Vernacular of the district, his name and the words "Licensed to manufacture (or Licensed to deal in) arms, ammunition and military stores," as the case may be. He shall also post up in his shop a copy of section 28 of the Act, either in the Vernacular of the district or in English.

6. He shall at the time of purchase endorse upon the license of every purchaser holding a license under Form VIII or IX—(1) the name and address of the person who takes delivery of the articles sold, (2) the nature and amount of the articles sold, and (3) the date of sale; and shall sign the endorsement.

7. This license only covers sales of arms, ammunition or military stores effected upon the premises shown on the face of the license.

8. The licensee shall not sell arms to a soldier of the Native Army unless he produces a written pass or permit signed by his Commanding Officer, and then only to the extent and on the conditions specified in such pass.

9. This license expires on the 31st December of the year in which it is issued, but the licensee can have it renewed by filing an application for its renewal on stamped paper of the prescribed value.

10. The license-holder shall not sell arms and ammunition to any Asiatic without the permission in writing of the District Magistrate. He shall not sell more than three pounds of gunpowder to any one without the same permission.

Home Department Notification No. 293,  
dated the 15th February 1894.

*NOTE.*—This prohibition does not apply to sales of gunpowder to Europeans and Eurasians of whose respectability the license-holder is satisfied.

This condition applies only to Burma.

Home Department Notification No. 532,  
dated the 16th March 1894.

11. This license does not authorize the licensee to possess Government arms or ammunition.

*Explanation.*—A "Government arm" is a fire arm or other weapon which is the property of the Government.

"Government ammunition" is ammunition manufactured in any Government factory, or which is prepared for and supplied to Government.

*Sections of the Indian Arms Act, 1878, referred to in Condition No. 1.*

5. No person shall manufacture, convert or sell, or keep, offer or expose for sale, any arms, ammunition or military stores, except under a license and in the manner and to the extent permitted thereby.

Nothing herein contained shall prevent any person from selling any arms or ammunition which he lawfully possesses for his own private use to any person who is not by any enactment for the time being in force prohibited from possessing the same; but every person so selling arms or ammunition to any person other than a person entitled to possess the same by reason of an exemption under section 27 of this Act, shall, without unnecessary delay, give to the Magistrate of the district, or to the Officer in charge of the nearest Police station, notice of the sale and of the purchaser's name and address.

16. Any person possessing arms, ammunition or military stores, the possession whereof by him has in consequence of the cancellation or expiry of a license \* \* \* \* \* become unlawful, shall deposit the same without unnecessary delay with the Officer in charge of the nearest Police station.

If the owner of anything deposited under this section does not within three years from the date on which such thing is so deposited produce a license authorizing him to possess the same and apply for delivery of the same, such thing shall be forfeited to Her Majesty.

19. Whoever commits any of the following offences (namely) :—

(a) manufactures, converts or sells, or keeps, offers or exposes for sale, any arms, ammunition or military stores in contravention of the provisions of section 5;

(b) fails to give notice as required by the same section;

(g) intentionally makes any false entry in a record or account which by a rule \* \* \* he is required to keep;

(h) intentionally fails to exhibit anything which, by a rule \* \* \* he is required to exhibit; or

(i) fails to deposit arms, ammunition or military stores as required by \* \* \* section 16, shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.

20. Whoever does any act mentioned in clause (a) \* \* \* of section 19, in such manner as to indicate an intention that such act may not be known to any public servant as defined in the Indian Penal Code, or to any person employed upon a Railway, or to the servant of any public carrier, and whoever, on any search being made under section 25, conceals or attempts to conceal any arms, ammunition or military stores,

shall be punished with imprisonment for a term which may extend to seven years, or with fine, or with both.

21. Whoever, in violation of a condition subject to which a license has been granted, does or omits to do any act shall, when the doing or omitting to do such act is not punishable under section 19 or section 20, be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

22. Whoever knowingly purchases any arms, ammunition or military stores from any person not licensed or authorised under the proviso to section 5 to sell the same; or

delivers any arms or ammunition or military stores into the possession of any person without previously ascertaining that such person is legally authorised to possess the same,

shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

23. Any person violating any rule made under this Act, and for the violation of which no penalty is provided by this Act, shall be punished with imprisonment for a term which may extend to one month, or with fine which may extend to two hundred rupees, or with both.

24. When any person is convicted of an offence punishable under this Act, committed by him in respect of any arms, ammunition or military stores, it shall be in the discretion of the convicting Court or Magistrate further to direct that the whole or any portion of such arms, ammunition or military stores and any vessel, cart or baggage animal used to convey the same, and any box, package or bale in which the same may have been concealed, together with the other contents of such box, package or bale, shall be confiscated.

FORM VII.

FEE TEN RUPEES IN STAMPS.

*License to keep and sell Arms, Ammunition or Military Stores.*

Serial number of license.	Name and residence of license-holder.	Place of business.	DESCRIPTION OF		Date on which license expires.
			Arms.	Ammunition or military stores.	
					The 31st of December 189 .

District,

189

(Signature)

of

*Form of renewing the license.*

[illegible]

1. This license is given subject to the provisions of "The Indian Arms Act, 1878," and the rules framed thereunder. The attention of the holder is drawn to the sections of the Act quoted separately below.

2. He shall keep registers of all arms and ammunition in stock, and of all sales, in such form as the Local Government may from time to time direct.

3. He shall exhibit his stock and his registers on demand by any Magistrate, or by any police officer not below the rank of Inspector.

4. If any arms or ammunition covered by this license are lost or stolen, he shall at once give notice at the nearest Police station.

*N.B.*—This condition may be omitted at the discretion of the Local Government.

5. He shall affix on a conspicuous part of his shop or usual place of business a sign-board on which shall be painted in large letters in English or in the Vernacular of the district, his name and the words "Licensed to deal in arms, ammunition and military stores." He shall also post up in his shop a copy of section 28 of the Act either in the Vernacular of the district or in English.

6. He shall at the time of purchase endorse upon the license of every purchaser holding a license under Form VIII or IX—(1) the name and address of the person who takes delivery of the articles sold, (2) the nature and amount of the articles sold, (3) the date of sale, and shall sign the endorsement.

7. This license only covers sales of arms, ammunition or military stores effected upon the premises shown on the face of the license.

8. The licensee shall not sell arms to a soldier of the Native Army unless he produces a written pass or permit signed by his Commanding Officer, and then only to the extent and on the conditions specified in such pass.

9. This license expires on the 31st December of the year in which it is issued, but the licensee can have it renewed by filing an application for its renewal on stamped paper of the prescribed value.

10. The license-holder shall not sell arms and ammunition to any Asiatic without the permission of the District Magistrate. He shall not sell more than three pounds of gunpowder to any one without the same permission.

*NOTE.*—This prohibition does not apply to sales of gunpowder to Europeans and Eurasians of whose respectability the license-holder is satisfied.]

This condition applies only to Burma.

Home Department Notification No. 293, dated the 15th February, 1894.

11. This license does not authorize the licensee to possess Government arms or ammunition.

*Explanation.*—A "Government arm" is a fire-arm or other weapon which is the property of the Government.

"Government ammunition" is ammunition manufactured in any Government factory, or which is prepared for and supplied to Government.

*Sections of the Indian Arms Act, 1878, referred to in Condition No. 1.*

5. No person shall manufacture, convert or sell, or keep, offer or expose for sale, any arms, ammunition or military stores except under a license and in the manner and to the extent permitted thereby.

Nothing herein contained shall prevent any person from selling any arms or ammunition which he lawfully possesses for his own private use to any person who is not by any enactment for the time being in force prohibited from possessing the same; but every person so selling arms or ammunition



**Arms ]**

to any person other than a person entitled to possess the same by reason of an exemption under section 27 of this Act shall, without unnecessary delay, give to the Magistrate of the district, or to the Officer in charge of the nearest Police station, notice of the sale and of the purchaser's name and address.

16. Any person possessing arms, ammunition or military stores, the possession whereof by him has, in consequence of the cancellation or expiry of a license \* \* \* \* \*, become unlawful, shall deposit the same without unnecessary delay with the Officer in charge of the nearest Police station.

If the owner of anything deposited under this section does not within three years from the date on which such thing is so deposited produce a license authorising him to possess the same and apply for delivery of the same, such thing shall be forfeited to Her Majesty.

19. Whoever commits any of the following offences, (namely):—

(a) manufactures, converts or sells or keeps, offers or exposes for sale any arms, ammunition or military stores in contravention of the provisions of section 5;

(b) fails to give notice as required by the same section;

\* \* \* \* \*

(g) intentionally makes any false entry in a record or account which, by a rule \* \* \* he is required to keep;

(h) intentionally fails to exhibit anything which, by a rule \* \* \* he is required to exhibit; or

(i) fails to deposit arms, ammunition or military stores, as required by \* \* \* section 16, shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.

20. Whoever does any act mentioned in clause (a) \* \* \* of section 19, in such manner as to indicate an intention that such act may not be known to any public servant as defined in the Indian Penal Code, or to any person employed upon a Railway, or to the servant of any public carrier, and whoever, on any search being made under section 25, conceals, or attempts to conceal any arms, ammunition or military stores,

shall be punished with imprisonment for a term which may extend to seven years, or with fine or with both.

21. Whoever in violation, of a condition, subject to which a license has been granted, does or omits to do any act shall, when the doing or omitting to do such act is not punishable under section 19 or section 20, be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

22. Whoever knowingly purchases any arms, ammunition or military stores from any person not licensed or authorised under the proviso to section 5 to sell the same; or

delivers any arms, ammunition or military stores into the possession of any person without previously ascertaining that such person is legally authorised to possess the same,

shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

23. Any person violating any rule made under this Act, and for the violation of which no penalty is provided by this Act, shall be punished with imprisonment for a term which may extend to one month, or with fine which may extend to two hundred rupees, or with both.

24. When any person is convicted of an offence punishable under this Act, committed by him in respect of any arms, ammunition or military stores, it shall be in the discretion of the convicting Court or Magistrate further to direct that the whole or any portion of such arms, ammunition or military stores, and any vessel, cart or baggage animal used to convey the same, and any box, package or bale in which the same may have been concealed, together with the other contents of such box, package or bale, shall be confiscated.



## Arms.]

1. This license is granted subject to the provisions of "The Indian Arms Act 1878," and the rules framed thereunder.

2. It covers only the persons and the arms named therein, unless it is certified to cover retainers of the holder.

3. It is void after the date named therein.

4. It extends only to the place or district named therein, unless countersigned for the whole province by the Commissioner or other superior officer.

5. It authorises the holder or persons acting under it to go armed within the place or district named for *bona fide* prosecution of the purpose named on the license; but, unless specially authorised by the Magistrate or Commissioner of Police, it does not permit the holder or persons aforesaid to go armed in Railway carriages, or to fairs, religious processions, or other public assemblages.

6. The license-holder, when purchasing any new arms or ammunition, shall have the following particulars endorsed upon his license under the vendor's signature:—

(1) the name and address of the person who takes delivery of the articles purchased;

(2) the nature and amount of the articles purchased;

(3) the date of purchase.

7. If any weapon covered by this license is lost or stolen, the license-holder shall at once give notice of the fact to the nearest Police station.

*N.B.*—This condition may be omitted at the discretion of the Local Government.

8. The special attention of the license-holder is drawn to the following sections of the Act:—

*Section 13.*—No person shall go armed with any arms except under a license and to the extent and in the manner permitted thereby.

Any person so going armed without a license or in contravention of its provisions, may be disarmed by any Magistrate, Police officer or other person empowered by the Local Government in this behalf by name or by virtue of his office.

*Section 19.*—Whoever commits any of the following offences (namely):—

(c) goes armed in contravention of the provisions of section 13;

shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.

9. This license expires on the 31st December of the year in which it is issued. The license-holder can have it renewed by filing an application for its renewal on stamped paper of the prescribed value.

(Home Department Notification No. 846, dated 19th June 1883.)

Home Department Notification No. 532, dated the 16th March 1894.

10. This license does not authorize the licensee to possess Government arms and ammunition.

*Explanation.*—A "Government arm" is a fire-arm or other weapon which is the property of the Government.

"Government ammunition" is ammunition manufactured in any Government factory, or which is prepared for and supplied to Government.

## FORM IX.

FEE FOUR ANNAS FOR EACH WEAPON  
PAYABLE IN STAMPS FOR LICENSES  
GRANTED IN BRITISH INDIA ; FREE  
OF ALL FEE FOR LICENSES GRANTED  
BY POLITICAL AGENTS TO SUBJECTS  
OF NATIVE STATES.

*License to go armed—On a journey.*

Name, etc., of license- holder with particulars of his residence.	Number of retainers, if any, who may be covered by the license (Rule 24).	Description of arms and ammunition covered by this license.	Place of departure, route, and destination of journey.	Time which journey will probably take.	Date from which and to which the license is valid.
					From the ____ th of ____ 189 to the ____ th of ____ 189 .

\_\_\_\_\_  
of \_\_\_\_\_  
\_\_\_\_\_ 189 .



(Signature)  
\_\_\_\_\_ of \_\_\_\_\_ District.

## Arms.]

This license covers only the persons and the arms named therein, unless it is certified to cover retainers of the holder.

It is void after the expiration of the period named therein.

It is granted subject to the provisions of "The Indian Arms Act, 1878," and the rules framed thereunder.

It does not permit holders to go armed in Railway carriages, to fairs, religious processions or other public assemblages.

The license-holder shall, at the time of purchase, have the following particulars endorsed upon his license by the vendor from whom he purchases and under the vendor's signature :—

- (1) the name and address of the person who takes delivery of the articles purchased ;
- (2) the nature and amount of the articles purchased ;
- (3) the date of purchase.

Home Department Notification No. 2100,  
dated the 23rd December 1891.

This license does not authorize the licensee to possess Government arms or ammunition.

*Explanation.*—A "Government arm" is a fire-arm or other weapon which is the property of the Government.

"Government ammunition" is ammunition manufactured in any Government factory, or which is prepared for and supplied to Government.

## FORM X.

FREE OF ALL FEE.

*License to possess Firearms, Ammunition, or Military Stores in a District which has not been disarmed.*

Name, etc., of license-holder, with particulars of residence.	Number and description of weapons.	Description and quantity of ammu- nition or military stores.	Place with full details where articles are to be kept.	Term for which license is valid
				From the _____ of _____ 189 , to the 31st of December 189 .

\_\_\_\_\_ }  
 The \_\_\_\_\_ of \_\_\_\_\_ 189 . } (Signature)  
 Seal. Magistrate of the \_\_\_\_\_ District.

(Home Department Notification No. 856, dated 30th April 1879.)

## Arms.]

This license protects only the weapons and articles named, so long as they are kept in the place described on the license.

It does not authorise the holder to go armed or to carry arms.

It is granted subject to the provisions of "The Indian Arms Act, 1878," and the rules framed thereunder.

Home Department Notification No. 532,  
dated the 16th March 1894.

This license does not authorize the licensee to  
possess Government arms or ammunition.

*Explanation.*—A "Government arm" is a firearm or other weapon which is the property of the Government.

"Government ammunition" is ammunition manufactured in any Government factory, or which is prepared for and supplied to Government.

FORM XI.

FREE OF ALL FEE.

*License to possess Arms and Ammunition for the purpose of destroying wild animals.*

Name, etc., of license-holder with particulars of residence.	Description of weapon.	Place or tract within which license is valid.	Term for which license is valid.	Title and residence of Magistrate to whom the license and weapon must be shown between the 15th November and the 31st December.
			From the _____ of _____ to the 31st December 189 .	

\_\_\_\_\_ }  
 The \_\_\_\_\_ of \_\_\_\_\_ 189 . } (Signature )  
 Seal. Magistrate of the \_\_\_\_\_ District.

*Notes of Magistrate to whom the license and weapon are periodically shown.*



**Arms.] -**

This license is granted subject to the provisions of "The Indian Arms Act, 1878," and the rules framed thereunder.

The holder is bound to show his license and weapons once a year to the Magistrate of \_\_\_\_\_

This license is void if the holder sells his weapon; if it is seized in execution of decree; if it is carried to any considerable distance beyond the limits of the places named in the license; or if he fails to show it once a year to the Magistrate aforesaid.

It is void on the death of the holder.

The holder must not go armed in railway carriages, to fairs, religious processions, or other public assemblages.

The holder is bound to observe a close season as prescribed by the Local Government in respect to the undermentioned game-birds and animals which do no injury to men, cattle or crops.

If a gun, covered by this license, is lost or stolen, the license-holder shall at once

Home Department Notification No. 2143, dated the 19th December 1850. *give notice of the fact at the nearest Police station.*

NOTE.—This clause applies only to Assam.

Home Department Notification No. 532, dated the 16th March 1894.

This license does not authorize the licensee to possess Government arms or ammunition.

*Explanation.*—A "Government arm" is a firearm or other weapon which is the property of the Government.

"Government ammunition" is ammunition manufactured in any Government factory or which is prepared for and supplied to Government.

*Specification of animals or birds.*

*Close season.*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## FORM XII.

*License to possess and transport gunpowder and fuses for bonâ fide blasting purposes.*

(No fee payable.)

Name of license-holder, with particulars of residence.	COLUMNS TO BE FILLED IN IN CASES OF TRANSPORT.			Quantity of gun- powder and fuses.	District or place with in which license is valid.	Terms for which license is valid.
	Place of de- spatch, route, and mode of transit.	Time for which pas- is valid.	Destina- tion.			
		From the				
		To the				
		189 .				

(Home Department Notification No. 1555, dated 30th September 1881.)

## Arms.]

The license is subject to the provisions of the Arms Acts and of the rules framed thereunder.

It covers only the person and the quantity of gunpowder and fuses named therein.

It extends only to the district or place named therein, and is void after the expiration of the term mentioned.

In cases of transport—

The license becomes void if the time occupied in transit exceeds the period specified, or if the consignment breaks bulk before reaching the place of destination, or if the articles are taken by any other route than that specified in the license.

The contents of each package covered by the license must be described in legible letters on the outside of such package.

This license must be delivered to the Magistrate of the District or other Officer authorized to receive the same, and the articles must be available for exhibition to such Magistrate or officer within six days of their arrival at their destination.

Home Department Notification No. 2270, dated the 29th November 1859.

## APPENDIX.

*Home Department Notification No. 321, dated 10th March 1893.*

In exercise of the power conferred by section 17 of the Indian Arms Act (XI of 1878) and in supersession, as regards both Upper and Lower Burma, of Home Department Notifications marginally cited, the Governor-General in Council is pleased to make the following rules to determine the officers by whom, the form in which, and the terms and conditions on and subject to which licenses to possess arms, ammunition and military stores,

and to go armed in Burma may be granted :—

## RULES.

13. Licenses to possess arms and ammunition in reasonable quantities, and to go armed for purposes of sport or protection or display, may be granted by the District Magistrate with the previous sanction of the Local Government, in Form VIII of the forms appended to the rules issued with the Notification of the Government of India, No. 518, dated the 6th March 1879. For each such license a fee of four annas per weapon shall be paid. Such a license authorises its holder to carry the arms described in the license on occasions when they may reasonably be required for the purposes named in the license. But the holder, unless specially authorized by the Magistrate, must not go armed in Railway carriages, to fairs, religious processions, *pujes*, or other public assemblages. Licenses granted under this rule may be countersigned by the Commissioner of a division for any one or more districts of his division, and shall then be valid for the district or districts specified by the Commissioner. Such licenses, on countersignature by a Secretary to the Chief Commissioner, shall be valid for any divisions or districts specified by such Secretary.

14. Licenses to possess arms and ammunition, and to go armed, may be granted by the District Magistrate in Form A to persons living in fenced or stockaded villages, subject to the conditions endorsed on Form A and on payment of a fee of four annas for each license.

15. Licenses to possess arms and ammunition, and to go armed, may be granted in special cases by the District Magistrate, with the previous sanction of the Commissioner of the division, in Form B, to circle thugyis and village headmen who require arms for their protection, but are not able to fulfil the conditions of licenses in Form A. Such licenses shall be granted subject to the conditions endorsed on Form B and on payment of a fee of four annas for each license.

16. Licenses to possess arms and ammunition, and to go armed, may be granted by the District Magistrate in Form C to persons employed in forests, who require arms for their protection, but are not eligible for licenses in Form A. Such licenses shall be granted subject to the conditions endorsed on Form C and on payment of a fee of four annas for each license.

16A. Licenses in Form D to possess arms and ammunition, and to go armed, may be granted by the District Magistrate, subject to the conditions endorsed on Form D and on payment of a fee of four annas for each license, in the following districts, only, or in such portions of those districts as the Chief Commissioner may from time to time direct :

Home Department Notification No. 1599,  
dated 31st October 1893.

## Arms.]

*Lower Burma.*

The Tavoy, Meigui and Salween Districts and the Hill Tracts of Northern Arakan.

*Upper Burma.*

The Bhanno, Ruby Mines, and Upper Chindwin Districts.

16B. Licenses to possess military stores, other than lead, may be granted by the District Magistrate in Form X of the forms appended to the rules issued with the Notification of the Government of India, No. 518, dated the 6th March 1879.

Licenses to possess lead in reasonable quantities proved to the satisfaction of the District Magistrate to be *bonâ fide* required for manufacturing or industrial purposes, other than the manufacture of ammunition, may be granted by the District Magistrate in the said Form X.

Licenses under this rule shall be granted subject to the conditions endorsed on the said form, and shall be granted without payment of any fee.

## FORM A.

*License to possess Arms or Ammunition in fenced or stockaded villages in Burma and to go armed.*

(Fee—Four annas, payable in stamps.)

Name, Father's name, age, race and residence of license-holder.	Distinguishing marks of license-holder.	Number of retainers, if any, who may be covered by the license.	Description and number of weapons and quantity of ammunition covered by license.	District or place within which license is valid.	Purpose for which granted.	Date on which license expires.
						The 31st March 189 .

(Signature)

The \_\_\_\_\_ of \_\_\_\_\_ 189 . }



of the \_\_\_\_\_

*Form for renewal of License.*

Date and year of renewal.	Date on which the renewed license expires.	Signature of Magistrate.

*Terms and Conditions subject to which a License in Form A is to be granted.*

[ To be printed on the reverse of the License Form. ]

**Arms.]**

1. This license is granted subject to the provisions of "The Indian Arms Act," 1878, and the rules framed thereunder.

2. It covers only the persons and arms named therein, unless it is certified to cover retainers of the holder.

3. It is void after the 31st March next following the date on which it is granted. The license-holder can have it renewed by presenting an application for its renewal on paper stamped with a four-anna stamp.

4. It extends only to the district or place named therein.

5. When the license covers firearms or ammunition, it is granted subject to the following conditions, and shall be void if and as soon as any of these conditions ceases to be fulfilled :—

(a) that the village in which the license-holder resides contains at least 50 houses ;

(b) that there are at least nine other license-holders in the village ;

[N.B.—Conditions (a) and (b) may be relaxed in the cases of Karens of proved loyalty recommended by their Missionaries, and in other special cases, with the sanction of the Commissioner of the Division, provided that in no case shall the number of guns in any village be less than five.]

(c) that the village is well fenced or stockaded, so as to prevent its being rushed, and that the ground round it is kept clear of jungle or cover for the space of 50 yards ;

(d) that the license-holder engages to act as a special constable, and to resist dacoits whenever the village is attacked, and to pursue them when called upon by competent authority. A competent authority means the headman of the village in which the license-holder resides or a Civil Officer not below the rank of Circle Thugyi in Lower Burma or Nyoók in Upper Burma, or a Police Officer not below the rank of Jemadar of Military Police or Head Constable of Civil Police, or any Military Officer in command of a party of troops.

(e) that the license-holder shall not carry his firearm beyond the boundaries of his own village, unless he has been called out by a competent authority to pursue dacoits or by the headman or thugyi to assist in the transport of public revenue or in any other public duty ; or unless, being himself a headman or thugyi, he is engaged in the collection or transport of the public revenue or in any public duty ; provided that in Lower Burma the license-holder, when wearing his uniform or badge, may carry his gun within the limits of the circle in which his village is situated ;

(f) that if the license-holder is obliged to go away and leave his gun in the village for the night, he shall deposit it with the headman of his village until his return ;

[N.B.—If the license-holder is himself a thugyi or headman he shall deposit his gun with another trustworthy license-holder.]

- (g) that the license-holder shall provide himself with a uniform jacket or badge, which will be given to him at cost price by the District Superintendent of Police, and that he shall wear this uniform or badge whenever he is called upon to act beyond the boundaries of his own village ;
- (h) that he shall produce his gun for inspection whenever called upon by a Civil Officer not below the rank of a Myoök in Upper Burma or of Circle Thugyi in Lower Burma, or by a Military Police Officer not below the rank of Jemadar, or by a Civil Police Officer not below the rank of Head Constable ;
- (i) that he shall keep and produce for inspection, when required, half a pound of powder, 50 caps, and a proportionate quantity of bullets or buck-shot ;
- (j) that he shall not purchase ammunition from any one but the District Superintendent of Police ;
- (k) that if the license-holder lends, loses, or in any way parts with his gun, this license and all other licenses to possess and carry firearms granted in the village in which the said license-holder resides shall be cancelled, and the firearms confiscated ;
- (l) this license is liable to be withdrawn at any time at the discretion of Government.

6. The license-holder when purchasing any new arms or ammunition shall have the following particulars endorsed upon his license under the vendor's signature :—

- (1) the name and address of the person who takes delivery of the articles purchased ;
- (2) the nature and amount of the articles purchased ;
- (3) the date of purchase.

7. If any weapon covered by this license is lost or stolen, the license-holder shall at once give notice of the fact to the nearest Police station.

8. The special attention of the license-holder is drawn to the following provisions of the Indian Arms Act, 1878 :—

*Section 13.*—"No person shall go armed with any arms except under a license and to the extent and in the manner permitted thereby.

Any person so going armed without a license or in contravention of its provisions may be disarmed by any Magistrate, Police Officer or other person empowered by the Local Government in this behalf by name or by virtue of this office."

[In Burma, the following persons have been so empowered, viz.:—  
thugyis, village headmen, and rural policemen.]

*Section 19.*—"Whoever

\* \* \* \* \*  
goes armed in contravention of the provisions of section 13,

o \* \* \* \*

shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both."



## Arms.]


## FORM B.

*License to possess Arms or Ammunition and to go armed to be granted in special cases to Circle Thuggies and Headmen in Burma.*

(Fee— Four annas, payable in stamps.)

Name, father's name, age, race and residence of license-holder.	Distinguishing ranks of license-holder.	Number of retainers, if any, who may be covered by the license.	Description and number of weapons and quantity of ammunition covered by license.	District or place within which license is valid.	Purpose for which granted.	Date on which license expires.
						The 31st March 189 .

(Signature)

The \_\_\_\_\_ of \_\_\_\_\_ 189 . }  of the \_\_\_\_\_

*Form for renewal of License.*

Date and year of renewal.	Date on which the renewed license expires.	Signature of Magistrate.

*Terms and conditions subject to which License in Form B is to be granted.*

[ To be printed on the reverse of the License Form. ]

1. This license is granted subject to the provisions of "The Indian Arms Act, 1878," and the rules framed thereunder.

[Arms.]

It covers only the persons and arms named therein, unless it is certified to cover retainers of the holder.

[N.B.—The number of arms and retainers covered by the license shall be fixed by Commissioner in each case.]

3. The license is void after the 31st March next following the date on which it is granted. The license-holder can have it renewed by presenting an application for its renewal on paper stamped with a four-anna stamp.

4. It extends only to the district or place named therein.

5. When the license covers firearms or ammunition, it is granted subject to the following conditions, and shall be void if and as soon as any of these conditions ceases to be fulfilled :—

(a) that the village in which the license-holder resides contains at least 50 houses ;

(b) that the village is well fenced or stockaded so as to prevent its being rushed, and that the ground round it is kept clear of jungle or cover for the space of 50 yards ;

Provided that both or either of conditions (a) or (b) may be dispensed with if the Commissioner of the Division is satisfied that the firearm is kept in a proper or defensible place, or that for other reasons the enforcement of the condition or conditions is unnecessary ;

(c) that the license-holder engages to act as a special constable and to resist dacoits whenever the village is attacked, and to pursue them when called upon by a competent authority. A competent authority means a Civil Officer not below the rank of Myoök, or a Police Officer not below the rank of Jemadar of Military Police or Head Constable of Civil Police, or any Military Officer in command of a party of troops ;

(d) that the license-holder shall not carry his firearm beyond the boundaries of his own village unless he goes out to pursue dacoits, or unless he is engaged in the collection or transport of revenue or in any other public duty ; provided that the license-holder, when wearing his uniform or badge, may carry his gun within the limits of the circle in which his village is situated ;

(e) that the license-holder shall provide himself with a uniform jacket or badge, which will be given to him at cost price by the District Superintendent of Police, and that he shall wear this uniform or badge whenever he is called upon to act beyond the boundaries of his own village ;

(f) that he shall produce his gun for inspection whenever called upon by a Civil Officer not below the rank of a Myoök, or by a Military Police Officer not below the rank of Jemadar, or by a Civil Police Officer not below the rank of Head Constable ;

(g) that he shall keep and produce for inspection, when required, half a pound of powder, 50 caps, and a proportionate quantity of bullets or buck-shot ;

(h) that he shall not purchase ammunition from any one but the District Superintendent of Police ;

(i) that if the license-holder lends, loses, or in any way parts with his gun, this license shall be cancelled, and the firearms confiscated ;

(j) this license is liable to be withdrawn at any time at the discretion of Government.

**Arms.]**

6. The license-holder when purchasing any new arms or ammunition shall have the following particulars endorsed upon his license under the vendor's signature :—

- (1) the name and address of the person who takes delivery of the articles purchased ;
- (2) the nature and amount of the articles purchased ;
- (3) the date of purchase.

7. If any weapon covered by this license is lost or stolen, the license-holder shall at once give notice of the fact to the nearest police station.

8. The special attention of the license-holder is drawn to the following provisions of the Indian Arms Act, 1878 :—

*Section 13.*—“ No person shall go armed with any arms except under a license and to the extent and in the manner permitted thereby.

Any person so going armed without a license or in contravention of its provisions may be disarmed by any Magistrate, Police Officer, or other person empowered by the Local Government in this behalf by name or by virtue of his office.”

[In Burma, the following persons have been so empowered, *viz.* :—  
thugyis, village headmen and rural policemen.]

*Section 19.*—“ Whoever

\* \* \* \* \*  
goes armed in contravention of the provisions of section 13,

\* \* \* \* \*  
shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.”

[Arms.]

## FORM C.

*License to possess Arms and Ammunition and to go armed to be granted to persons employed in forests in Burma.*

(Fee—Four annas, payable in stamp.)

Name, father's name, age, race, and residence of license holder.	Distinguishing marks of license holder.	Name of employer of license holder.	Description and number of weapons and quantity of ammunition carried by license.	District or place within which license is valid.	Place on which license expires.	REMARKS.
					The 31st March 190	

The \_\_\_\_\_ of \_\_\_\_\_ 189 . (Sd.) \_\_\_\_\_  
 Sent. Deputy Commissioner  
 of \_\_\_\_\_

## Form for renewal of license.

Date and year of renewal.	Date on which the renewed license expires.	Signature of Magistrate.

*Terms and Conditions subject to which a License in Form C is to be granted.*

[ To be printed on the reverse of the License Form. ]

1. This license is granted subject to the provisions of "The Indian Arms Act, 1878," and the rules framed thereunder.

## Arms.]

2. It covers only the persons, arms, and ammunition named therein.

3. The license is void after the 31st March next following the date on which it is granted. The license-holder can have it renewed by presenting an application for its renewal on paper stamped with a four-anna stamp.

4. It extends only to the district or place named therein.

5. When the license covers firearms or ammunition, it is granted subject to the following conditions, and shall be void if and as soon as any of these conditions ceases to be fulfilled :—

(a) that the license-holder shall not go armed except in company with at least four other license-holders armed with firearms;

(b) that the license-holder shall produce the firearms mentioned in the license whenever required to do so by the Deputy Commissioner or by any officer authorised by the Deputy Commissioner in this behalf.

6. The license-holder when purchasing any new arms or ammunition shall have the following particulars endorsed upon his license under the vendor's signature ;—

(1) the name and address of the person who takes delivery of the articles purchased :

(2) the nature and amount of the articles purchased ;

(3) the date of purchase.

7. If any weapon covered by this license is lost or stolen, the license-holder shall at once give notice of the fact to the nearest police station.

8. The special attention of the license-holder is drawn to the following provisions of the Indian Arms Act, 1878 :—

*Section 13.*—“ No person shall go armed with any arms except under a license and to the extent and in the manner permitted thereby.

Any person so going armed without a license or in contravention of its provision may be disarmed by any Magistrate, Police Officer, or other person empowered, by the Local Government in this behalf by name or by virtue of his office.”

[In Burma the following persons have been so empowered, viz.:—  
thugyis, village headmen, and rural policemen.]

*Section 19.*—“ Whoever

o                      o                      \*                      \*                      \*  
goes armed in contravention of the provisions of section 13,  
o                      o                      o                      o                      o

shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.”

[Frms.]

## FORM D.

*License to possess Arms or Ammunition and to go armed in the Tavoy,<sup>o</sup> Mergui, Salween, Bhamo, Ruby Mines and Upper Chindwin Districts and the Hill Tracts of Northern Arakan only.*

(Fee —Four annas, payable in stamps.)

Name, father's name, age, race and residence of license-holder.	Distinguishing marks of license-holder.	Number of retainers, if any, who may be covered by the license.	Description and number of weapons, and quantity of ammunition covered by license.	District or place within which license is valid.	Purpose for which granted.	Date on which license expires.
						The 31st March 189 .

The \_\_\_\_\_ of \_\_\_\_\_ 189 .

Seal.

Signature

\_\_\_\_\_

\* Home Department Notification No. 1599, dated 31st October 1897.

*Form for renewal of License.*

Date and year of renewal.	Date on which the renewed license expires.	Signature of Magistrate.

*Terms and conditions subject to the provisions of the Arms Act, 1878.*

[ To be printed on the reverse side of the form. ]

1. This license is granted subject to the provisions of the Arms Act, 1878, and the rules framed thereunder.

**Arms.]**

2. It covers only the persons and arms named therein, unless it is certified to cover retainers of the holder.

3. It is void after the date named therein, and shall not be granted for a longer period than three years. The license-holder can have it renewed by presenting an application for its renewal on paper stamped with a four-anna stamp.

4. It extends only to the place or district named therein.

5. When the license covers firearms or ammunition, it is granted subject to the following conditions, and shall be void if and as soon as any of these conditions ceases to be fulfilled :—

- (a) that the license-holder engages to act as a special constable, to resist dacoits whenever the village in which he lives, if he lives in a village, is attacked, and to pursue them when called upon by a competent authority. A competent authority means the headman of the village in which the license-holder resides or a Civil Officer not below the rank of Thugyi, or a Police Officer not below the rank of Jemadar of Military Police, or Head Constable of Civil Police, or any Military Officer in command of a party of troops ;
- (b) that he shall produce his gun for inspection, when called upon to do so by a Thugyi, a Jemadar of Military Police, or Head Constable of Civil Police ;
- (c) that he shall keep and produce for inspection, when required, half a pound of powder, 50 caps, and a proportionate quantity of bullets or buck-shot ;
- (d) that he shall not purchase ammunition from any one but the District Superintendent of Police ;
- (e) that if the license-holder lends, loses, or in any way parts with his gun, this license and, if the license-holder resides in a village, all other licenses to possess or carry firearms granted in the village in which the said license-holder resides, shall be cancelled and the firearms confiscated ;
- (f) this license is liable to be withdrawn at any time at the discretion of Government.

6. The license-holder when purchasing any new arms or ammunition shall have the following particulars endorsed upon his license under the vendor's signature :—

- (1) the name and address of the person who takes delivery of the articles purchased ;
- (2) the nature and amount of the articles purchased ;
- (3) the date of purchase.

7. If any weapon covered by this license is lost or stolen, the license-holder shall at once give notice of the fact to the nearest police station,

8. The special attention of the license-holder is drawn to the following provisions of the Indian Arms Act, 1878 :—

*Section 13.*—“ No person shall go armed with any arms except under a license and to the extent and in the manner permitted thereby.

Any person so going armed without a license or in contravention of its provisions may be disarmed by any Magistrate, Police Officer, or other person empowered by the Local Government in this behalf by name or by virtue of his office.”

[ In Burma the following persons have been so empowered, *viz.* :—  
thugyis, village headmen, and rural policemen.]

*Section 19.*—“ Whoever

goes armed in contravention of the provisions of section 13,

shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.’



1997

## CHIEF COMMISSIONER OF AJMERE-MERWARA.

## NOTIFICATION.

[a] No. 149—Mount Abu, the 23<sup>th</sup> February 1882.

The following Rules and Orders passed by the Chief Commissioner of Ajmere-Merwara under the Arms Act (XI. of 1878), are hereby notified for general information :—

- I.—The authority to detain arms and ammunition contemplated in clause 2 of Section 6 of the Arms Act may be exercised by any Magistrate, Justice of the Peace, or District Superintendent of Police and any Police Officer being not lower in rank, than an Officer in charge of a reporting Police Station.
- II.—Magistrates in granting Licenses under Rule 11, of the Rules framed by the Government of India to manufacture, convert, or sell, ammunition, any military stores, or to keep and sell the same shall deliver to each Licensee two books in the Forms A and C, or B and D (as the case may be) hereto appended, the one to be kept up as showing his stock-in-trade, and the other for the purpose of showing the sales of each day. The pages of these books shall be numbered in print from beginning to end, and the first and last page shall be signed by the Magistrate, or some European subordinate. [The Licensee shall obtain the signature of the purchaser in column No. 7 opposite the entry of each sale, or, if the purchaser is illiterate, his mark. When a purchase is made by letter it will suffice to make an entry to this effect in column VII and to keep the letter for production with the books.](b) The Licensee will be required to pay the cost of these books. The Magistrate in delivering these books to the Licensee will explain to him the necessity for keeping them up regularly, and the penalties attaching to failure to do so. The shop, premises, and stock, of every licensed vendor shall be inspected once in every half-year by a Police Officer not below the rank of Inspector, and once in every year by the Magistrate of the District or one of his subordinates, or by the District Superintendent of Police. Every officer making such inspection shall initial the stock and sale book of the Licensee, and at once report to the Magistrate of the District, any irregularity or breach of Rules which may have come to his notice.
- III.—License holders under Rule 11 of the Rules framed by the Government of India shall store all consignments of arms, ammunition, or sulphur, in a place to be settled by the local Authorities.

[a] Published in Gazette of India, dated 11<sup>th</sup> March 1882, Part II, page 207.

(b) The words in brackets [ ] were inserted by Chief Commissioner's Notification No. 454, dated the 23<sup>rd</sup> April 1887, published at Page 215 of the Gazette of India, Part II, dated 30<sup>th</sup> April 1887.

## Arms.]

- IV.—Storage fees, and the proportionate cost of such guard as may be necessary shall be borne by the License-holders.
- V.—Arms, ammunition, or sulphur, will be taken out only according to the requirements of sale, at the discretion of the Magistrate of the District.
- VI.—No License-holder under Rule XI shall be allowed to keep more than 50 1-lb. tins of gunpowder, [ " ] on his shop premises.
- VII.—Every License-holder under Rule 11 will be required to have a fire-proof cellar in his shop, closed with an air-proof plug for the storing of gunpowder.
- VIII.—Every [ <sup>b</sup> ] Magistrate shall keep a Register of the Licenses granted by him under Rule 11 of the Rules framed by the Government of India, to manufacture, convert, or sell ammunition and military stores; such Register shall be in the Form E annexed. A copy of this Register shall be furnished by the Magistrate, to the District Superintendent of Police. The District Superintendent of Police will furnish to each Officer in charge of a Police Station, an extract (columns 1 to 6) giving the names of the persons living within his jurisdiction who hold Licenses. And each Circle Inspector shall receive from the District Superintendent of Police an extract giving the names of all persons living in his circle who hold Licenses. Every Inspector when making the inspection directed in Rule 11 shall enter in his copy of the Register, in one of the subordinate columns of column 8, the date on which he made the Inspection.

If the Inspection disclose no irregularity or breach of the Rules, no report will be made. But if at the Inspection any fact is brought to light which it is advisable that the Magistrate shall know, the Inspector shall send a special report to the Magistrate, through the District Superintendent of Police, noting in the column of remarks in his Register the date on which the report was sent. Every Subordinate Magistrate and District Superintendent of Police making an inspection as directed in Rule II shall send to the Magistrate of the District a report of the result of his Inspection for incorporation in the register column 8 (5). At the close of the calendar year the Circle Inspectors will send their Registers to the District Superintendent of Police for transmission to the Magistrate, who will enter in his Register the facts recorded by the Inspectors opposite to the name of each Licensee, and he will furnish each Political Agent with a copy of the return referring to his State, so that he may know exactly, what ammunition has been bought during the year, by the residents of the State to which he is accredited.

[a] The words "and 50 boxes of caps" occurring between 'Gunpowder' and 'on' omitted. See Chief Comr.s' letter No. <sup>951</sup>/<sub>305</sub> dated 27th August, 1886.

[b] The District Magistrate of Ajmere and Merwara are instructed not to grant new licenses without previously consulting the Commissioner. See letters No. 668 G and 669 G, dated 6th June 1883, from Commissioner, Ajmere-Merwara, to the District Magistrates of Ajmere and Merwara.

- IX.—A Register in the Form F shall be kept by the Magistrate, of all Licenses to keep and sell arms, ammunition, and military stores, and the same Rule shall *mutatis mutandis* be observed with regard to this Register, as are laid down in Rule 11 for the register in Form E.
- X.—Every person licensed to sell arms, and ammunition, shall affix a board on a conspicuous part of his shop or usual place of business, and shall cause to be painted thereon, in large letters in English, and the vernacular of the district, his name and the words "License to manufacture" or "License to deal in arms, ammunition or military stores," as the case may be.
- XI.—He shall also have a copy of Section 28 of the Indian Arms Act, posted up in the vernacular of the District, and in English, on some conspicuous part of his usual place of business.
- XII.—License holders under Rule 11 of the rules framed by the Government of India violating any of these Rules, shall be subject to the penalties enjoined in Section 23 of Arms Act XI. of 1878.

**Arms.]****FORM A.**

Store book of \_\_\_\_\_ son of \_\_\_\_\_ caste \_\_\_\_\_  
 resident of Mauza \_\_\_\_\_ Pargana \_\_\_\_\_ District \_\_\_\_\_  
 licensed to manufacture, convert, or sell, or keep arms, ammunition and military  
 stores.

1	2	DESCRIPTION.						
		3			4		5	6
		FIRE ARMS.			OTHER WEAPONS		Am- muni- tion.	Military Stores.
		Guns.	Pistols.	Others.	Swords.	Bayonets.		
Date								
January 1st ...	In store... Added to store, Disposed of ...							
January 2nd ...	In store ...							

NOTE.—Details not provided for in columns 3, 4, 5, and 6 should be entered in  
 manuscript.

**FORM B.**

Store book of \_\_\_\_\_ son of \_\_\_\_\_ caste \_\_\_\_\_  
 resident of Mauza \_\_\_\_\_ Pargana \_\_\_\_\_ District \_\_\_\_\_  
 licensed to keep, and sell arms, ammunition, and military stores.

1	2	DESCRIPTION.								
		3			4				5	6
		FIRE ARMS.			OTHER WEAPONS.				Am- muni- tion.	Military Stores.
Date.	Guns.	Pistols.	Others.	Swords.	Bayonets.	Daggers.	Others.			
January 1st ...	In store ... Added to store ... Disposed of ...									
January 2nd ...	In store... ...									

NOTE.—Details not provided for in columns 3, 4, 5, and 6 should be entered  
 in manuscript.

## FORM C. (a)

Day-book of \_\_\_\_\_ son of \_\_\_\_\_  
 caste \_\_\_\_\_ resident of Mauza \_\_\_\_\_  
 Pargana \_\_\_\_\_ District \_\_\_\_\_

licensed to manufacture, convert, or sell or keep arms, ammunition or military stores.

1	2	3	4	5	6	7
Date.	Name of purchaser, with father's name.	Caste.	State & resident.	Articles purchased.	Price paid.	Signature of purchaser.

## FORM D. (a)

Day-book of \_\_\_\_\_ son of \_\_\_\_\_  
 caste \_\_\_\_\_ resident of Mauza \_\_\_\_\_  
 Pargana \_\_\_\_\_ District \_\_\_\_\_

licensed to keep and sell arms, ammunition and military stores.

1	2	3	4	5	6	7
Date.	Name of purchaser, with father's name.	Caste.	State & resident.	Articles purchased.	Price paid.	Signature of purchaser.

(a) Forms C & D are substituted for old Forms C. & D. Vide Chief Commissioner's Notification No. 454, dated the 23rd April 1887; published at page 215 of the Gazette of India, Part II, dated 30th April 1887.

Arms.]

FORM E.

Register of licensees to manufacture, convert, or keep arms, ammunition, and military stores  
in District \_\_\_\_\_

[illegible]

## FORM F.

Register of licenses to keep and sell arms, ammunition and military stores in  
District \_\_\_\_\_

[illegible]

[Arms.

No. 575 of 1887.

Extract from the proceedings of the Chief Commissioner of Ajmere-Merwara.

---

Disposal by the Rajputana Malwa Railway Company of unclaimed arms and ammunition.

*Dated Abu, the 18th July 1887.*

*Read.—*



Arms.]

Letter to the Commissioner No. 567 dated the 11th June 1887 calling for a copy of the correspondence which has taken place on the subject.

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Letter from the Commissioner No. 661 G. dated the 23rd Idem, submitting copy of the papers.

*Resolution.*—Subject to the provisions of Sections 22 and 28 of Act XI of 1878, the Railway Company may retain arms and ammunition for a reasonable time to enable them to be claimed, if not claimed the articles should be made over to the Police to be dealt with according to law.

2. The Railway Company cannot under any circumstances sell by auction or otherwise, arms or ammunition in Ajmere-Merwara to recover freight or demurrage due on them, nor can the Chief Commissioner admit the liability of Government to the Company for any costs incurred by them in respect of such property.

*Ordered.*—That a copy of this Resolution be forwarded to the Agent, Bombay, Baroda and Central India Railway including Rajputana-Malwa Railway for information. Also that a copy be forwarded to the Commissioner, Ajmere-Merwara, for information, with reference to his letter, No. 555 G. dated 31st May 1887.

# BENGAL REGULATION XI OF 1806.<sup>[a]</sup>

*Passed on the 3rd July, 1806.*

A Regulation for facilitating the progress of detachments of troops through the Company's territories; for affording any requisite assistance to persons travelling through those territories.<sup>[b]</sup>

2. Whenever a detachment of troops, or a single corps, shall be ordered to proceed, by land or by water, through any part of the Company's territories, the commanding officer of such detachment or corps is required to give the earliest practicable notice to the Collectors of the Revenue of the zilas through which the troops are to pass, of the probable time of their arrival within such districts respectively; together with information of the probable period of their arrival at the particular places where supplies may be required, and a specification of the supplies which will be wanted.

Notice to  
given to  
Collector  
Magistrate  
by officer  
commanding  
detachment

The commanding officer will likewise notify to the Collectors the probable period of the arrival of the troops at the rivers or nalas intersecting their march, where boats or temporary bridges may be necessary for crossing the troops and the baggage attached to them. The commanding officer will at the same time communicate to the Magistrates of the zilas through which the troops are to pass the probable time of the arrival of the troops within their respective jurisdictions.

3. *First.*—On receiving the notification mentioned in the foregoing section, the Collector shall immediately issue the necessary orders to the landholders, farmers, tahsildars or other persons in charge of the lands through which the troops are to pass, for providing the supplies required, and for making any requisite preparations of boats or temporary bridges, or otherwise for enabling the troops to cross such rivers or nalas as may intersect their march, without any impediment or delay.

Proceed  
Collecto  
notice.

The Collector shall at the same time depute a creditable Native officer to accompany the troops through his jurisdiction, for the purpose of aiding in procuring the necessary supplies and of facilitating the march of the troops.

It shall also be the duty of such Native officer to provide the troops with whatever bearers, *coolies*, <sup>[c]</sup> boatmen, carts and bullocks may be indispensably necessary to enable the troops to prosecute their route.

[a] Ss. 2 to 6 and s. 8 of Ben. Reg. XI of 1806 (with the exception of such part as authorizes Collectors and their Native officers, or Magistrates and their Police-officers, to give their official aid in procuring *coolies* for the purpose of facilitating the march of troops or the progress of travellers) were declared in force in Ajmere-Merwara by Reg. III of 1877, s. 3, printed *infra*.

[b] Portion repealed by Act XII of 1891 is omitted.

[c] As to coolies, see foot-note [a] on p. 123, *supra*.

## 1806: Ben. Reg. XI.]

Should he experience any difficulty in the performance of this duty, he is at liberty to apply for assistance to the nearest police-officer, who is directed to afford his aid in providing the number of persons, and of carts and bullocks, required. [a]

*Second.*—The supplies furnished under the foregoing clause (including earthen pots, firewood and every article of supply) shall be paid for by the persons receiving the same at the current bazar prices of the place at which they may be provided;

and all officers commanding detachments of troops or single corps marching through any part of the Company's territories are enjoined to make immediate inquiry into any complaints which may be preferred to them by the persons furnishing such supplies or in their behalf, against any person or persons under their command, and to afford such redress to the complainants as the nature of the case may appear to require.

4. *First.*—Whenever a detachment of troops or a single corps shall be provided with boats, temporary bridges or other accommodations, by any landholder, farmer, tahsildar or other person, conformably to the orders of the Collector of the zila, for the purpose of crossing the troops and their baggage over rivers or nalas, the commanding officer of such detachment or corps will grant a certificate to the person furnishing the same, specifying the number of boats and persons employed, the burthen of each boat, and how long employed on the public service.

In instances in which temporary bridges may be constructed for the above purpose, the certificate to be granted by the commanding officer is to specify, generally, the dimensions of the bridges and the materials of which they may be composed.

*Second.*—The certificate mentioned in the foregoing clause shall be immediately transmitted to the Collector of the zila by the person receiving it, accompanied by a detailed account of the expense incurred for the purposes therein specified.

The Collector shall without delay communicate the particulars of the account to the officer commanding the detachment or corps on whose account the expense may have been incurred, who shall certify generally thereon whether the services charged for in it were performed, or shall state such exceptions as he may have to offer to any of the charges.

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[a] As to fine for disobeying requisition under s. 3 see Ben. Reg. VI of 1825, *infra*.

[1806: Ben. Reg. XI.]

*Third.*—When the account above-mentioned shall be returned to the Collector, he shall certify whether the sums and rates charged in it are in his opinion reasonable and conformable to the usual rates of labour and hire in the zila; and shall transmit the account, with the vouchers and certificates relating to it, with any requisite observations thereupon, through the prescribed channel, to the Governor General in Council.[<sup>a</sup>]

Account and vouchers to be sent by Collector with his report to Government.

After the account shall have undergone the examination and report prescribed for all military contingent charges, the Governor General in Council [<sup>a</sup>] will pass such final order as may appear proper.

In the meantime the Collector is empowered in such cases to pay the amount of the charge, or such proportion of it as he may consider reasonable, to the landholder, farmer or other person entitled thereto; inserting the amount so disbursed by him at the foot of his treasury-account, in explanation of his treasury-balance, in the mode prescribed for similar cases.

Collector may pay charge if reasonable.

5. *First.*—Whenever a proprietor, farmer, tenant or manager of land through which any detachment or corps of the Company's troops may march, or on which they may be encamped, shall consider himself entitled to compensation for any injury sustained from the march or encampment of the troops, he shall immediately furnish the commanding officer of such troop with as accurate a statement as can be prepared of the nature and extent of the injury sustained; when the commanding officer is required to certify generally thereon whether or not the damage represented to have been sustained has been actually committed, together with his opinion respecting the justice and extent of the claim.

Procedure for landholders, etc., sustaining injury, from march or encampment.

Certificate by commanding officer.

*Second.*—If the proprietor, farmer, tenant or manager, after receiving such certificate, shall consider himself entitled to compensation, he will be at liberty to present the statement of his claim, with the commanding officer's certificate thereon, to the Collector of the zila (either in person or by his wakil) within ten days from the date of the certificate; but no claim of this description shall be received by the Collector after the expiration of that period, unless the person preferring it shall assign good and satisfactory reason for the delay.

Certificate with statement of claim to be presented to Collector within ten days.

The Collector, on receiving a statement of damage and the commanding officer's certificate thereon within the prescribed period, or afterwards if sufficient reason be assigned for the delay, shall forthwith adopt such measures as may appear requisite to ascertain whether or not the claim be

[<sup>a</sup>] The powers of the Governor General in Council are in Ajmere-Merwara exercised by the Chief-Commissioner—see Reg. III of 1877, Second Schedule, *infra*.

## 1806: Ben. Reg. XI. ]

well founded; and shall report his proceedings to the Board of Revenue, [ <sup>a</sup> ] accompanied by his opinion on the merits of the claim, for the consideration and orders of Government.

It is, however, declared that no claim will be received, unless accompanied by the prescribed certificate of the commanding officer of the troops by whom the damage may be stated to have been committed; excepting in instances in which the claimant can show good and sufficient cause for not having obtained such certificate.

In such cases, if the Collector shall be satisfied with the cause assigned by the claimant for not having obtained the prescribed certificate, he shall transmit the petition and statement of the claimant to the officer commanding the troops by whom the damage may be stated to have been committed, and shall wait his reply thereto previously to determining whether or not the claim be entitled to investigation.

6. Immediately on receiving the notification mentioned in section 2, the Magistrate shall transmit orders to the several police-daroghas, or other local officers of the police through whose jurisdiction the troops are to pass, to afford every assistance in their power to facilitate the march of the troops through their respective jurisdictions; and to co-operate, as far as necessary, with the person deputed on the part of the Collector in procuring the requisite supplies, as well as in adjusting any disputes which may arise respecting the prices of the articles furnished, and in preventing any alarm to the inhabitants of the country.

8. Whenever any military officer, not commanding nor proceeding with a corps or detachment of troops, or any other person (whether European or Native) not restricted by Government from passing through the country, may be proceeding within any part of the Company's Provinces, either on the public service or on his private affairs, and shall be in need of assistance during his route to enable him to prosecute his journey, he shall be at liberty to apply to the nearest local officer of police, to aid him in providing any requisite bearers, *coolies*, [ <sup>b</sup> ] boatmen, carts or bullocks, or any necessary supplies of provisions or other articles.

On receiving an application of the above nature, the police-officer to whom it may be made shall furnish the aid required, or cause it to be furnished by the proper person or persons: Provided that a sufficient number

[a] The powers of the Board of Revenue are in Ajmere-Merwara exercised by the Chief Commissioner—see Reg. III of 1877, Second Schedule, *infra*.

[b] As to coolies, see foot-note [a] on p. 123, *supra*.

[1806: Ben. Reg. XI.]

of persons who have been accustomed to act as bearers, *coolies* [“] or boatmen, or the requisite number of carts and bullocks, not exclusively appropriated to the purposes of agriculture and occasionally let for hire, can be procured within his jurisdiction.

But all police-officers are strictly forbidden, under pain of dismissal from office,[<sup>b</sup>] on applications of the above nature, to compel any persons not accustomed to act as bearers, *coolies*, [“] or boatmen to serve on such occasions, or to furnish a traveller, or cause him to be furnished, with bullocks or carts kept for private use and not for hire, or exclusively appropriated to the purposes of agriculture.

Persons and carts and bullocks not to be employed in furnishing assistance.

Persons so employed, and the persons in charge of carts and bullocks so provided, shall be at liberty to return from the first police-station in the next zila through which the corps or detachment is to march, unless a voluntary engagement to the contrary may be entered into by such persons.

Persons employed to be at liberty to return from first police-station.

The police-officers are further enjoined to be careful that a proper compensation for the bearers, *coolies*, [“] boatmen, carts or bullocks, employed, and a just price for the provisions or other articles provided, be secured to the persons entitled thereto.

Conditions of assistance to travellers.

For this purpose, the police-officers are authorized to adjust the rate of hire to be paid for the bearers, *coolies*, [“] boatmen, carts or bullocks required, and the price of any articles provided; as well as to demand that the whole or a part, according to the circumstances of the case, be paid in advance.

Should any traveller refuse to comply with the adjustment or demand so made by a police-officer, he will not be entitled to any assistance from the officers of Government under this Regulation.

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[a] As to coolies, see foot-note [a] on p. 123, *supra*.

[b]. Words and figures repealed by Act XII of 1891 are omitted.

BENGAL REGULATION VI OF 1825.<sup>[a]</sup>

*Passed on the 4th April, 1825.*

A Regulation for rendering more effectual the rules in force relative to supplies and preparations for troops proceeding through the British territories.

1. WHEREAS it is enacted in the first clause of section 3, Regulation XI, 1806,<sup>[b]</sup> that on receiving the notification mentioned in the preceding section, relative to a body of troops about to proceed, by land or by water, through any part of the Company's territories, the Collector of the district shall immediately issue the necessary orders to the landholders, farmers, tahsildars or other persons in charge of the lands through which the troops are to pass, for providing the supplies required, and for making any requisite preparations of boats or temporary bridges, or otherwise for enabling the troops to cross such rivers or nalas as may intersect their march without impediment or delay; it being at the same time further directed, in the second clause of the section referred to, that the supplies so furnished shall be paid for by the persons receiving the same at the current bazar-prices of the place at which they may be provided, and that the expense incurred for crossing the troops and their baggage over rivers or nalas, after being duly ascertained, will be paid by Government;

and whereas experience has shown the necessity of enabling the Collectors or other public officers acting in that capacity to enforce their orders in the cases abovementioned, by imposing a fine upon any landholder, tahsildar or other person in the possession or management of land, who, after receiving the requisition issued in pursuance of the section above cited, may be proved to have wilfully disobeyed or neglected the same;

the Governor General in Council has therefore enacted the following rules, to be in force as soon as promulgated in all the Provinces immediately subject to the Presidency of Fort William.

2. Any landholder, farmer, tahsildar or other person in the possession or management of land, who may have been duly required by a Collector of the land-revenue (or any public officer acting in that capacity), in pursuance of section 3, Regulation XI, 1806, <sup>[b]</sup> to provide supplies for a body of troops about to proceed by land or water through any part of the British territo-

[a] Ben. Reg. VI of 1825 was declared in force in Ajmere-Merwara by Reg. III of 1877, s. 3, Printed *infra*.

[b] Printed *supra*, p. 123.

ries, or to make preparations of boats, temporary bridges or otherwise, for enabling the troops to cross rivers or nalas intersecting their march, and after the receipt of such requisition shall wilfully disobey or neglect the same, or shall without sufficient cause fail to exert himself for the due execution of the duty so assigned to him, shall on proof of such failure, neglect or disobedience to the satisfaction of the Collector (or other officer acting in that capacity) by whom the order may have been issued, or of his successor in the same office, be liable to a fine proportionate to the defaulter's condition in life and the circumstances of the case, in such amount as the Collector or other officer, with due regard to these considerations, may judge it proper to impose, so that the fine shall not in any case exceed the sum of one thousand sikka rupees.

3. The Collector or other officer acting in that capacity, who may exercise the powers vested in him by this Regulation, shall previously make a summary inquiry, in the presence of the party charged with disobeying or neglecting the order issued to him, or of his representative, if on being duly summoned he shall attend in person or by vakil for that purpose;

Collector to make summary inquiry.

If he shall fail to attend, either in person or by vakil, the summary inquiry shall be conducted *ex parte*, and the Collector shall record upon his proceedings the whole of the evidence obtained in proof of the neglect or disobedience for which a fine may be imposed.

4. The Collector or other officer who may adjudge a fine under this Regulation shall be competent to levy the amount by the same process as is authorized for the recovery of arrears of the public revenue:

Fine how levied.

Provided that if an appeal be preferred from his decision, within six weeks from the date of it, to the Board of Revenue [a] in whose jurisdiction the district may be situate, and sufficient security be tendered for performing the judgment of the Board, [a] upon the appeal, the Collector shall stay the execution of his order for levying the fine imposed by him, until he shall receive the final order of the Board: [a]

Proviso as appeal.

5. Appeals from the orders of Collectors or other public officers adjudging fines under this Regulation, may be preferred [b] either immediately to the proper Board, [a] or through the officer by whom the fine may have been ad-

Petition of appeal again fine.

a] The powers of the Board of Revenue are in Ajmere-Merwara exercised by the Chief Commissioner—see Reg. III of 1877, Second Schedule, *infra*.

[b] Words repealed by Act XII of 1876 are omitted.



1825: Ben. Reg. VI.]

judged ; and, on admission of the appeal, the whole of the proceedings in the case shall be transmitted to the Board. [“]

But no such appeal shall be receivable after the expiration of six weeks from the date of the judgment, without proof of sufficient reason for the delay, to the satisfaction of the Board [“] by whom the case may be cognizable.

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[a] The powers of the Board of Revenue are in Ajmere-Merwara exercised by the Chief Commissioner—see Reg. III of 1877, Second Schedule, *infra*.

## ASSISTANCE TO MARCHING TROOPS AND TRAVELLERS.

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*Rules for the guidance of Officers under the Rajpootana Agency in regard to the supply of carriage to troops.*

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I. When carriage is required for the passage of British troops through a Native State or the District of Ajmere, written indents in the form prescribed in paragraphs 2302 and 2303\* of the Bengal Army Regulations should be forwarded by the Military authorities to the Political Agent or District Officer, so as to reach him at least 20 days before the date fixed for the march of the troops. Longer notice is required when the carriage has to be collected from or sent considerable distances.

II. The District Officer, or Political Agent in communication with the Durbar, will arrange for the supply of the carriage and inform the Indenting Officer of the extent to which his indent can be complied with. He will forward the carriage to the Indenting Officer, under the charge of a Durbar or Tehseel official, with an English letter specifying the said official's duties and the limit of his jurisdiction. The official so deputed must accompany the troops as long as they require carriage from his Durbar or District; and any additional carriage required on the march must be procured through him. Payments should be made to, and receipts taken from him in the manner prescribed in paragraphs 2311 and 2312† of the Bengal Army Regulations.

III. A statement as prescribed in paragraph 2307‡ of the Bengal Army Regulations must be furnished by the District Officer or Political Agent after consultation with the Durbar to the Indenting Officer, who may reject such carriage as he does not approve of, paying the full hire from the date the carriage is taken up until the date of rejection.

IV. The Political Agent must arrange with the Durbar for relief of the carriage at suitable places, communicating with the Political Agent of the State or District Officer of the District which the troops will enter

## Assistance to Marching Troops.]

on leaving his own, with a view to the relief of the carriage as near the limits of the State whence it was supplied as may be possible.

V. Certificate in the form prescribed in paragraph 2313\* of the Bengal Army Regulations must be furnished to each owner of carts or camels by the District Officer or Political Agent, who must arrange with the Durbar that these certificates serve as a protection against seizure on the way home for the use of troops.

\* *Vide* Appendix.

VI. All communications with the Thakoors and headmen of villages should be conducted by Commanding Officers through the medium of the Durbar or Tehseel Official accompanying the troops.

VII. The particular attention of Commanding Officers is directed to paragraph 2309† of the Bengal Army Regulations.

† *Vide* Appendix

VIII. The scale of baggage for which carriage will be furnished is given in revised paragraph 2314‡ of the Bengal Army Regulations.

‡ *Vide* Appendix.

## [Assistance to Marching Troops.]

## APPENDIX.

*Paragraphs of the Bengal Army Regulations referred to in the foregoing Rules.*

## REFERRED TO IN RULE I.

2302. Not less than 15 days' notice is to be given to the District Officer of the quantity and description of carriage required; and whenever it is known that carts are obtainable with great difficulty, or not procurable, the indents should show the number of camels that will be required in lieu. The indents should be accompanied by a copy of the route enumerating the halting places; and an intimation of the *precise* date on which carriage will be required should accompany the indent.

Notice to be given and nature of carriage.

2303. The indent for the carriage required for that portion of the men's baggage, for the conveyance of which Government is responsible, must be invariably distinct from the indent for the carriage required for the rest of the men's baggage and for that of the officers. Each indent must state distinctly whether the charges for the carriage indented for will be paid by the State, or by the troops themselves, so that there may be no question as to the quarter from which payment is to be claimed.

Indents for public and private carriage to be separate.

## REFERRED TO IN RULE II.

2311. On the occasion of the discharge or exchange of carriage, the Commanding Officer should require the certificate of the Quarter-Master that every cart and camelman and cooly has been duly paid up in full. This certificate should then at once be communicated to the Civil authority, British or Native, accompanying the troops, who should be requested to verify its correctness by appeal to the parties paid, and then to append his counter-signature as a voucher; such certificates should be in duplicate, one copy being retained by the regiment, and the other sent to the Civil Officer of the district concerned.

Rule to be observed on paying up and discharging carriage.

## Assistance to Marching Troops.]

2312. In a detachment which has no Quarter-Master the Commanding Officer should himself perform the duty of having the cartmen and others paid in his presence, the certificates being signed by himself and witnessed by an Officer or Non-commissioned Officer. Where there is no Civil Officer, the Commissariat Agent should be present at the payment and sign the certificate.

Where there is no Quarter-Master or Civil authority.

### REFERRED TO IN RULE III.

2307. The Local Governments will fix the rates of the hire, back hire, demurrage, chowdrees' fees, &c., to be allowed in each district for the different kinds of carriage procurable there; and a District Officer, when making over carriage to the Commanding Officer, is to be careful to deliver to him in writing a full statement of the above particulars and of the weight to be carried by each cart, boat, or beast. Should this information not be received, Commanding Officers must apply for it, in order that no misunderstanding may exist on these very important points.

Hire, fees and demurrage; weights of loads.

### REFERRED TO IN RULE V.

2313. A passport (purwanah) in English, Urdu, Hindce, and where necessary, Bengalee, signed and sealed by the District Officer, is to be given to each person in charge of carriage. The carriage protected by this document shall not be liable to seizure on the way home for the use of troops; unless they are marching in the direction of the owner's house.

Discharge certificate to be given to cartmen, &c.

### REFERRED TO IN RULE VII.

2309. Commanding Officers are responsible that the carriage is not overladen, that the beasts are not overdriven, and that the cartmen and parties in charge are properly treated.

Care of cartmen and cattle.

### REFERRED TO IN RULE VIII.

2314. The following table shows the utmost weight of baggage which each class and description of troops is permitted to carry on a march, and for which carriage will be furnished on indent on the responsibility of the authorities, civil and military. On occasions of troops proceeding on service into the hills, beyond the frontier, special orders will in each case be issued regarding the amount of baggage to be taken by the several ranks:—

Scale of baggage allowed to be carried on service or relief, and for which carriage will be furnished.

## [Assistance to Marching Troops.]

## RANK, &amp;c.

Service equipment, exclusive of camp equipage, for inland active service which officers provide from their tentage, and which they are required at all times to maintain ready to take the field at an hour's notice.

On occasions of ordinary movement or on relief at the expense of officers and others not including weight of tents, which are either carried free by Government, or for which carriage is kept up by officers out of their tentage.

	lbs.	Maunds.
General Officers Commanding Forces ... ..	<i>Discretional.</i>	<i>Discretional.</i>
Ditto ditto ditto Divisions ... ..	720	80
Ditto ditto ditto Brigades ... ..	640	65
Colonels ... ..	560	} 45
* Lieutenant-Colonels and Majors in Command ... ..	480	
* Majors not in Command ... ..	480	25
* Captains in Command ... ..	400	25
* Captains not in Command ... ..	400	15
* Subalterns ... ..	320	10
Warrant Officers, 2nd Class (including Medical Subordinates) ... ..	160	5
School-masters or School-mistresses, married or unmarried, when moving with or without troops... ..	†	†
Hospital Apprentices (unpassed) ... ..	160	2½
Departmental Non-Commissioned Officers and men (Commissariat, Ordnance, &c.) ... ..	160	5
Non-Commissioned Officers, Rank and File of British troops... ..	40	‡

\* Including Departmental Officers, Warrant Officers holding honorary commissions and others according to relative rank..

† School-masters and School-mistresses are allowed carriage for baggage at the public expense according to the following scale, which includes professional books:—

	School-masters.		School-mistresses.	
	Maunds.	Seers.	Maunds.	Seers.
Married or unmarried, when moving with troops ... ..	4	8	4	8
Married, without troops, if accompanied by wife ... ..	8	...	...	...
"  "  not so accompanied ... ..	6	...	...	...
"  "  School-mistresses moving without troops ... ..	...	...	6	...
Unmarried, without troops ... ..	4	8	4	8

‡ These ranks are allowed expense at the rate of 2½ maunds or half camel-load, for Regimental and Quarter-Master Sergeants, Bandmaster Sergeant, and Non-Commissioned Officers and men of Horse and Field Artillery, 18 seers each, or 11 men per camel; Cavalry, 17½ seers each, or 12 men per camel; if dismounted one maund each, or five men per camel; Gunners of Field Artillery, 29 seers each, or seven men per camel; Garrison Artillery and Infantry 33 seers each, or six men per camel.

## Assistance to Marching Troops.]

## RANK, &amp; c.

Service equipment, exclusive of camp equipage, for inland active service which officers provide from their tentage, and which they are required at all times to maintain ready to take the field at an hour's notice.

On occasions of ordinary movement or on relief at the expense of officers and others not including weight of tents, which are either carried free by Government, or for which carriage is kept up by officers out of their tentage.

						lbs.	Maunds.
Native Commissioned Officers	...	...	...	...	...	160	5
Hospital Assistants	...	...	...	...	...	160	2½
Havildars and Native Medical pupils	...	...	...	...	...	40	1
Naicks	...	...	...	...	...	20	1
Drummers or Buglers and Sepoys	...	...	...	...	...	20	1
European, Eurasian, and Native Clerks	...	...	...	...	...	160	.....
Band property	...	...	...	...	...	.....	36
Orderly Room	...	...	...	...	...	.....	18
Quarter Master's Office	...	...	...	...	...	.....	5
Paymaster's Office	...	...	...	...	...	.....	10
Armourer's shop	...	...	...	...	...	.....	18
Treasure chest	...	...	...	...	...	.....	18
MESSES.						Maunds.	
Regiment of British Cavalry or Infantry.	Officers	...	...	...	...	24	170
	Serjeants	...	...	...	...	8	10
Wing of British Cavalry or Infantry with Head-quarters.	Officers	...	...	...	...	13	140
	Serjeants	...	...	...	...	5	8
Ditto do. without do.	Officers	...	...	...	...	10	90
	Serjeants	...	...	...	...	4	5
Troop of British Cavalry, Company of Royal Engineers, or Sappers and Miners.	Officers	...	...	...	...	4	70
	Serjeants	...	...	...	...	2	5
Ditto British Infantry	Artillery Brigades, Serjeants					4	5
Head-quarters of Royal Battery of Royal Artillery.	Officers	...	...	...	...	6	70
	Serjeants	...	...	...	...	4	5
Regiment of Native Cavalry or Infantry.	Officers	...	...	...	...	16	70
Wing of Native Cavalry or Infantry	Officers	...	...	...	...	10	50

\* The scale of carriage here laid down for Native Commissioned and Non-Commissioned Officers and men, respectively, applies to regiments entitled to marching batta. In other regiments carriage at the public expense is supplied according to the following scale:—

Commissioned Officers ... .. 60 seers.

Non-Commissioned Officers ... .. 30 "

Drummers or Buglers and sepoy ... .. 15 "

† This is applicable to Hospital Assistants drawing marching batta. When carriage at the public expense is supplied one-half maund is allowed.

## [Assistance to Marching Troops.]

RANK, &amp;c.

Service equipment, exclusive of camp equipage, for inland active service which officers provide from their tentage, and which they are required at all times to maintain ready to take the field at an hour's notice.

On occasions of ordinary movement or on relief at the expenso of officers and others, not including weight of tents, which are either carried free by Government, or for which carriage is kept up by officers out of their tentage.

## BAZAARS.

Per Troop or Company of British or Native Cavalry,  
Infantry, Sappers or Garrison Battery of Artillery ...

Maunds.

Maunds.

.....

5

Battery, Horse Artillery ... ..

.....

10

Ditto Field ditto ... ..

.....

7

Ditto Native ditto ... ..

.....

10





[Assistance to Marching Troops.]

*Baggage -*

# RULES REGULATING THE HIRE OF CAMELS IN THE AJMERE DISTRICT.

*The following rules sanctioned by the Chief Commissioner are published for general information.*

*Gaut.**public*

1.—Any officer travelling on duty shall be entitled to call on the Camel Chaudhri to provide him with camels. It shall be the duty of the Chaudhri, to comply with such indent *as far as possible* provided that if more than three camels at a time are required the Chaudhri shall *be given* *previous* have a week's notice.

2.—The rate of hire per mensem shall be as follows :—

(a).—When the camels are required for more than three months, and exceed eight in number, Rs. ~~12~~ <sup>15</sup> per camel.

(b).—When the camels are required for less than three months and are not less than eight in number, Rs. ~~10~~ <sup>12</sup> per camel.

(c).—When the camels are required for less than three months, and are less than eight in number, Rs. ~~11~~ <sup>12</sup> per camel.

(d).—When the camels are required for more than three months, and are less than eight in number, Rs. ~~10~~ <sup>12</sup> per camel.

3.—The time for which the camels are required shall be stated at the time of hiring. If camels are engaged for more than three months, and are dismissed before the expiry of that term, they must be paid at the highest rate, viz. Rs. ~~11~~ <sup>12</sup> per camel. If camels are engaged for less than three months and kept on beyond such terms the hirer will still have to pay at the higher rate. *(1) When two camels are required for less than 10 days answer for*

4.—The Chaudhri will receive a perquisite of ~~1~~ <sup>1</sup> anna per rupee on the hiring. He will be required to deposit Rs. 100 security which may be collected at first from his perquisites. This security, or part of such security, will be forfeitable at the discretion of the ~~Assistant~~ <sup>Collector</sup> Commissioner for failure to carry out his agreement, and will be then payable at the said officer's discretion to parties suffering thereby.

## **Assistance to Marching Troops.]**

5.—Officers can make their own arrangements, if they so prefer; but in any case the Chaudhri will be entitled to collect his perquisite from the camel owner.

6.—A deposit must be made at time of hiring by the hirer of not less than a fortnight's hire. This at the hirer's request may be deposited with the Tahsildar.

## [Assistance to Marching Troops.]

TABLE OF RATES OF CAMEL HIRE, EACH CAMEL CARRYING  
6 MAUNDS.

## FOR BAGGAGE CAMELS.

From Ajmere to				RATE OF HIRE.					
				When the camel's relieved after reaching destination.			For Return journey.		
Nussirabad ...	...	...	...	...	10	...	...	5	...
Kekri ...	...	...	...	2	...	...	1	...	...
Deoli ...	...	...	...	2	12	...	1	6	...
Bhinai ...	...	...	...	1	4	...	...	10	...
Neemuch ...	...	...	...	5	12	...	2	14	...
Nyanagar ...	...	...	...	1	6	...	...	11	...
Páli ...	...	...	...	5	...	...	2	8	...
Anadar at foot of Abu Hill	...	...	...	9	8	...	4	12	...
Pushkar ...	...	...	...	...	8	...	...	4	...
Do. at the time of fair...	...	...	...	...	10	...	...	5	...
Kishangarh...	...	...	...	...	11	...	...	6	...
Jodhpore ...	...	...	...	5	8	...	2	12	...
Bickaneer ...	...	...	...	6	8	...	3	4	...
Merta ...	...	...	...	2	...	...	1	...	...
Phalodi ...	...	...	...	6	8	...	3	4	...

Assistance to Marching Troops.]

FOR RIDING CAMELS.

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If hired for a few days, or a month or two, at the rate of Rs. 30 per mensem.

If hired for 6 months certain, or for above 6 months, 25 Rs. per mensem.

When halting daily, 8 annas.

The contract rate for riding camel will be 6 koss per rupee.

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RULES AND NOTIFICATIONS UNDER THE BIRTHS,  
DEATHS, AND MARRIAGES REGISTRATION  
ACT VI OF 1886.

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[<sup>a</sup>] NOTIFICATION No. 1161, *dated 19th July, 1888.*

The Governor-General in Council is pleased to direct under Section I, Sub-section (2) of the Births, Deaths and Marriages Registration Act No. VI of 1886, that that Act shall come into force on the first day of October 1888.

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[a] Vide *Gazette of India*, Pt. I, for 1888, p. 536.

## Births, Deaths, and Marriages.]

[<sup>a</sup>] No. 1092-122 *Alur*, the 14th September, 1888.

In exercise of the powers conferred by Section 6, Act VI of 1886, (Births, Deaths, and Marriages Registration Act), the Chief Commissioner of Ajmere-Merwara is pleased to notify that the Office of the Commissioner, Ajmere-Merwara, shall be the General Registry Office for the purposes of the Act for Ajmere-Merwara, and to appoint to the charge of that Office the Commissioner of Ajmere-Merwara as Registrar-General of Births, Deaths, and Marriages for Ajmere-Merwara.

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[<sup>a</sup>] No. 1093-122—In exercise of the powers conferred by Section 12, Act VI of 1886 (Births, Deaths, and Marriages Registration Act) the Chief Commissioner of Ajmere-Merwara is pleased to appoint the following officers to be Registrars of Births and Deaths for the districts or areas noted against their names :—

The Assistant Commissioner, Ajmere,—Ajmere District excluding the Cantonments of Nussirabad and Deoli.

The Assistant Commissioner, Merwara,—Merwara District.

The Cantonment Magistrate, Nussirabad,—Cantonment of Nussirabad.

The Cantonment Magistrate, Deoli,—Cantonment of Deoli.

## [Births, Deaths, and Marriages.]

[<sup>a</sup>] No. 346-I. Dated 25th January, 1889.

In exercise of the powers conferred by Section 13 of the Births, Deaths, and Marriages Registration Act VI of 1886, the Governor-General in Council is pleased to appoint the persons for the time being holding the Offices designated in the first column of the following Schedule to be Registrars of Births and Deaths in respect of the classes of persons indicated in Section 11, Sub-section (1), clause (b) of the said Act for the Local areas mentioned opposite their designations in the second column of that Schedule respectively:—

OFFICES.	LOCAL AREAS.
President at Jaipur ... ..	The Jaipur Agency, <i>i.e.</i> , States of Jaipur and Kishengurh, excepting the lands herein declared to constitute separate local areas.
Railway Medical Officer at Bandikui ...	Bandikui Railway Station and Railway lands adjoining.
Apothecary in Medical Charge at Phalera.	Phalera Railway Station and Railway lands adjoining.
Assistant Commissioner, Northern India Salt Revenue, Sambhar.	Sambhar and lands within the jurisdiction of the Assistant Commissioner, Northern India Salt Revenue, Sambhar.
Resident, Western Rajputana States ...	The Western Rajputana States Agency, <i>i.e.</i> , States of Marwar, Jeyaulmere, Scrohi and district of Mallani excepting the lands herein declared to constitute separate local areas.
Officer Commanding Erinpura Irregular Force.	Erinpura Cantonment.
The Magistrate of Abu ... ..	Mount Abu.
The Apothecary in Medical Charge, Abu Road Station.	Abu Road Station and the Railway lands adjoining.
Superintendent, Northern India Salt Revenue, Phalodi.	} The lands within their respective jurisdictions.
Superintendent, Northern India Salt Revenue, Bhatki. [ <sup>b</sup> ]	
Political Agent, Kotah ... ..	The Kotah Agency.
Political Superintendent, Jhallawar ...	The Jhallawar Superintendency.

[<sup>a</sup>] See the *Gazette of India*, January 26th, 1889, Pt. I, p. 55.[<sup>b</sup>] Bhatki (now called Luni) is situated near the Luni river and the Marwar Southern Boundary.



## Births, Deaths, and Marriages.]

OFFICES.	LOCAL AREAS.
Political Agent, Eastern States... ..	The Eastern States Agency, <i>i.e.</i> , States of Bharatpore, Dholpur and Kerowli.
Officer Commanding, Deoli Irregular Force.	Harowtee and Tonk Agency, <i>i.e.</i> , States of Bundi Tonk, and Shahpura.
Political Agent, Ulwar ... ..	Ulwar Agency.
Resident, Meywar ... ..	The Meywar Agency, <i>i.e.</i> , States of Meywar, Banswara, Pertabgurh and Dungurpur, excepting the lands here-in declared to constitute separate local areas.
Officer Commanding, Meywar Bhil Corps.	Kherwara Cantonment.
Superintendent of Police, Rajputana-Malwa Railway.	The Stations on the Rajputana-Malwa Railway not specially named above.

II.—For the purposes of Section 24, Sub-section (2) and Section 32 of the said Act, the Governor-General in Council is further pleased to appoint the Registrar-General of Births, Deaths, and Marriages for Ajmere-Merwara, for the time being, to be the Registrar-General for the local areas mentioned in the Schedule above.

## [Births, Deaths, and Marriages.]

[<sup>a</sup>] No. 946-I. *The 17th March, 1893.*

In exercise of the powers conferred by Section 13 of the Births, Deaths, and Marriages Registration Act (VI of 1886), the Governor-General in Council is pleased to appoint the Political Agent, Bikanir, for the time being, to be Registrar of Births and Deaths in respect of the classes of persons indicated in Section 11, Sub-section (1) clause (b) of the said Act for the territories of His-Highness the Maharaja of Bikanir.

II. For the purposes of Section 24, Sub-section (2), of the said Act the Governor-General in Council is further pleased to appoint the Registrar General of Births, Deaths, and Marriages for Ajmere-Merwara, for the time being, to be the Registrar-General for the said territories.

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[<sup>a</sup>] Government of India *Gazette*, Part I, March 18th, 1893, p. 158.

## Births, Deaths, and Marriages.]

[<sup>a</sup>] No. 1173. *Dated 19th July, 1888.*

The Governor-General in Council is pleased to publish the following rules made under Sections 26, 28 and 36 of the Births, Deaths, and Marriages Registration Act, No. VI of 1886:

1. In these rules, unless there is something repugnant in the subject or context

- (1) "The Act" means the Births, Deaths, and Marriages Registration Act, 1886.
- (2) "Schedule" means a schedule to these rules:
- (3) "Registrar-General" and "Registrar" mean respectively, a Registrar-General of Births, Deaths, and Marriages and a Registrar of Births and Deaths appointed under the Act: and
- (4) "Sign" used with reference to a person who is unable to write his name includes mark.

2. Notices of Births and Deaths shall be in the forms set forth in Schedule A and Schedule B, respectively.

3. Every such notice shall be signed by the person giving it, and shall specify the capacity in which the person claims to be authorized to give it.

4. Every such notice shall ordinarily be presented to the Registrar for the local area in which the birth or death occurred within three months of the date of the birth or death to which it refers, as the case may be:

Provided that the Registrar may, of his own authority, for any reason which he considers sufficient, accept notice of a birth or death at any time within six months from the date of its occurrence, and with the special sanction in writing of the Registrar-General after that time.

5. An appeal against an order of a Registrar refusing to register a birth or death on any other ground than that referred to in proviso (a) to section 19 of the Act shall lie to the Registrar-General, who may in his discretion, either confirm the order of the Registrar, or direct him to register the birth or death.

6. Registers of births and deaths shall be kept in the forms set forth in Schedule C and Schedule D, respectively.

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[<sup>a</sup>] *The Gazette of India, July 21st, 1888, Part I, p. 336.*

## [Births, Deaths, and Marriages.]

7. When a birth or death has occurred during a journey,

or when the person giving notice of a birth or death was compelled by duty, or urgent necessity, or unavoidable accident, to leave the local area in which such birth or death occurred so soon after its occurrence that he was unable to give the prescribed notice to the Registrar for that local area,

any Registrar may receive notice of such birth or death, and register the same as if it were a birth or death which had occurred within the local area for which he has been appointed.

8. The provisions of Rule 4, as to the time within which notice of a birth or death must be given, shall apply to every notice of a birth or death given under the circumstances described in the last foregoing rule.

9. In every case of a birth or death admitted to registration under Rule 7, the Registrar to whom the notice of the birth or death is given shall record in his register the reason why the notice was not given to the Registrar of the local area within which the birth or death occurred, and shall within one week from the date of the registration of the birth or death forward to the Registrar-General, and to the Registrar of the local area within which the birth or death occurred, a copy of the entry in the register relating to the birth or death.

Every Registrar shall paste into a book kept by him for the purpose all copies of entries received by him under this rule, and the book containing the copies shall be at all reasonable times, open to inspection by any person desiring to inspect it.

10. The Registrar for any local area including a port may register any birth or death which has occurred on the high seas on board any ship arriving at such port :

Provided that notice of the birth or death is given to such Registrar within sixty days after the arrival of the ship.

In the notice of such birth or death, and in the entry thereof in the register, there shall be specified, in lieu of the name of the place at which, the name of the ship on which the event occurred, and the name of the Commander of the ship, and the approximate latitude and longitude of the ship's position at the time of the birth or death.

11. Every certificate of registration of a birth or death given by a Registrar under Section 23 of the Act shall be in the form set forth in Schedule E.

## Births, Deaths, and Marriages.]

12. At the foot of every copy of an entry given under Section 9 or Section 25 of the Act there shall be written a certificate, dated and subscribed by the Registrar-General or Officer authorized under Section 9, or by the Registrar, as the case may be, that the copy is a true copy of the entry.

13. Every Registrar shall keep, in the form set forth in Schedule F, a register of all certificates of registration and copies of entries given by him.

Every Registrar-General shall keep a register in a singular form of all copies given by him of entries in the certified copies of the registers sent to his office.

14. The copies of entries of births and deaths, which Registrars are required by Section 24 of the Act to send to the Registrar-General, shall be certified in the form set forth in Schedule G, and shall be sent at intervals of three months, on or as nearly as possible after the 1st January, April, July and October in each year.

Should no entries be made in a register during the preceding three months, a certificate to this effect shall be sent to the Registrar-General.

15. The indexes, which are required by Section 7 of the Act to be made of the certified copies of registers of births, deaths, and marriages sent to the office of the Registrar-General, shall be in the forms set forth in Schedule H, Schedule I, and Schedule J, respectively.

Every entry in an index shall be made alphabetically with reference to the initial letter of the name of the person indicated by the entry.

In the index of certified copies of entries of marriages, the names of both the husband and the wife must be indexed.

In the case of the person of European descent, the initial letter will be the first letter of the surname; and in the case of any other person, the first letter of his name, and not that of his rank, title, or class.

16. A Registrar may, of his own motion, correct, in manner prescribed in Section 28 of the Act, any error in form made in an entry of a birth or death in a register of births or register of deaths kept by him under the Act.

In every case in which an entry is corrected under this rule, intimation thereof shall (if practicable) be communicated, within one week from the date of the correction being made, to the person who gave the notice of the birth or death.

## [Births, Deaths, and Marriages.]

17. When an error in substance in any entry of a birth or death in a register of births or register of deaths is asserted to have been made, the Registrar may correct the error, in manner prescribed in Section 28 of the Act, on application made in writing, and signed in the presence of two witnesses attesting the signature, by any person authorised under Section 20 or 21, as the case may be, to give notice of the birth or death to which the entry relates :

Provided that the Registrar is satisfied that the application is well founded.

An appeal against an order of a Registrar under this rule refusing to correct an asserted error in an entry in a register shall lie to the Registrar-General, who may, in his discretion, either confirm the order of the Registrar, or direct him to correct the error.

18. Without the special sanction in writing of the Registrar-General, an application for the correction of an entry in a register of births or register of deaths shall not be entertained after the expiration of one year from the date on which the notice of the birth or death was given.

19. The sums specified in Schedule K shall be the fees payable under the Sections of the Act there referred to :

Provided that soldiers and non-commissioned officers of Her Majesty's Regular Forces, and all seamen, shall be exempted from the payment of any fees.

20. Every Registrar-General and every Registrar who is a Government servant and not a Minister of Religion shall keep a register in the form set forth in Schedule L of all fees realized under these rules, and shall forward such fees at the end of each month to the nearest treasury to be credited to Government. The Treasury Officer shall give each Registrar a certificate of the amount so credited, and the Registrar shall send a copy of the Certificate to the Registrar-General. Registrars who are not Government servants or who are ministers of religion may retain for their own use any fees which they may realize under these rules." [ " ]

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[a.] Rule 20 was substituted for the original rule by Notification No. 185, dated 27 July 1894, see *Gazette of India*, Pt. I, for 1894, p. 436.

# SCHEDULES.

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## SCHEDULE A.

### *Notice of a Birth.*

#### (RULE 2.)

To the Registrar of Births and Deaths for *(local area or class.)*

I, A. B. *(name, description, and residence)* being *(here state the capacity in which the person claims to be authorised to give the notice,)* hereby give notice, for the purposes of Section 19, Act VI of 1886, that on *(date)* at *(place)* I, A. B., or my wife, C. D., or C. D. *(name and description,)* was delivered of a \_\_\_\_\_, and I request that the said birth may be registered.

\_\_\_\_\_  
Signature.

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## SCHEDULE B.

### *Notice of a Death.*

#### (RULE 2.)

To the Registrar of Births and Deaths for *(local area or class.)*

I, A. B. *(name, description and residence,)* being *(here state the capacity in which the person claims to be authorised to give the notice)* hereby give notice, for the purposes of Section 19, Act VI of 1886, that on *(date)* at *(place)* my *(state relationship)* C. D. *(name and description,)* or C. D. *(name and description,)* died of \_\_\_\_\_, and I request that the said death may be registered.

\_\_\_\_\_  
Signature.

## [Births, Deaths, and Marriages.]

## SCHEDULE C.

*Register of Births.*

## (RULE 6.)

1. Serial number.
2. Date of birth.
3. Place of birth.
4. Name, if any.
5. Sex.
6. Name, race, religion and occupation of father.
7. Name, race and religion of mother.
8. Signature, description and residence of person giving notice.
9. Signature, description and residence of mother, and person acknowledging himself to be father (*column only to be used in the case referred to in Section 19, proviso (b), and Section 22, Sub-section (3.)*)
10. Reason why notice was not given to Registrar within whose local area birth occurred (*column only to be used in the case of a birth registered under Rule 7.*)
11. Date of registration.
12. Signature of Registrar.
13. Rectification of error in entry.



## Births, Deaths, and Marriages.]

## SCHEDULE D.

*Register of Deaths.*

## (RULE 6.)

1. Serial number.
2. Date of death.
3. Place of death.
4. Name, sex, race, religion and occupation of deceased.
5. Names, race, religion and occupation of parents of deceased.
6. When deceased was a married woman or a widow, name, race, religion, and occupation of her husband or late husband.
7. Age of deceased.
8. Cause of death.
9. Signature, description and residence of person giving notice.
10. Reason why notice was not given to Registrar within whose local area death occurred (*column only to be used in the case of a death registered under Rule 7.*)
11. Date of registration.
12. Signature of Registrar.
13. Rectification of error in entry.

## SCHEDULE E.

*Certificate of Registration of Birth or Death.*

## (RULE 11.)

Certified that I have this day registered the birth (or death) to which the entry in the Register of births (or deaths), of which a true copy is above written, relates.

Dated the \_\_\_\_\_ of \_\_\_\_\_

A. B.

Registrar of Births and Deaths  
for (*local area or class.*)

## [Births, Deaths, and Marriages.]

## SCHEDULE F.

*Register of Certificates of Registration or Copies of Entries granted.*

(RULE 13.)

1. Serial number.
  2. Name and residence of person applying for certificate or copy.
  3. Date of application.
  4. Nature of certificate or copy granted.
  5. Date of grant of certificate or copy.
  6. Fee paid.
  7. Initials of Registrar.
  8. Remarks.
- 

## SCHEDULE G.

*Certificate of truth of copies of entries sent to Registrar-General.*

(RULE 14.)

Certified that the above, which contains entries from No. \_\_\_\_\_  
 regarding \_\_\_\_\_ to No. \_\_\_\_\_ regarding \_\_\_\_\_, is a true  
 copy of all the entries in the Register of Births (or Register of Deaths,  
*as the case may be,*) kept by me for the three months ending the  
 day of \_\_\_\_\_ 18 \_\_\_\_.

Dated the \_\_\_\_\_ of \_\_\_\_\_

Signature \_\_\_\_\_

Registrar of Births and Deaths for (*local area or class.*)

# Births, Deaths, and Marriages.]

## SCHEDULE H.

*Index of certified copies of Registers of Births.*

(RULE 15.)

Name and sex.

Father's name.

Date.

Place.

Reference to certified copy of register.

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## SCHEDULE I.

*Index of certified copies of Registers of Deaths.*

(RULE 15.)

Name and sex.

Father's name.

Date.

Reference to certified copy of register.

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## SCHEDULE J.

*Index of certified copies of entries of Marriages.*

(RULE 15.)

Name of (husband) (wife.)

Date.

Place.

Reference to certified copy of entry.

## [Births, Deaths, and Marriages.]

## SCHEDULE K.

*Fees leviable under Sections 8, 23 and 25 of the Act.*

## (RULE 19.)

					Rs. a. p.
(I)	Under Section 8 for inspection of indexes in the office of a Registrar-General—				
	(a)	For the first year	...	...	... 1 0 0
	(b)	For every additional year, four annas up to a maximum for one inspection of	...	...	... 5 0 0
(II)	Under Section 8 for each copy of an entry in a certified copy of a register in the office of a Registrar-General			...	... 1 0 0
(III)	Under Section 23 for a certificate of registration of birth or death	...	...	...	... 1 0 0
(IV)	Under Section 25 for search in a register of births or deaths—				
	(a)	For the first year	...	...	... 1 0 0
	(b)	For every additional year, four annas up to a maximum for one search of	...	...	... 5 0 0
(V)	Under Section 25 for each copy of an entry given by a Registrar	...	...	...	... 1 0 0

## SCHEDULE L.

*Register of Fees.*

## (RULE 20.)

1. Serial number.
2. Date of receipt.
3. From whom received.
4. On what account received.
5. Section of Act under which chargeable.
6. Amount of fee.
7. Signature of Registrar-General or officer authorised under Section 9 of the Act or Registrar, (*as the case may be.*)
8. Signature of Treasury Official, and date of receipt in treasury.
9. Remarks.

## Births, Deaths, and Marriages.]

[<sup>a</sup>] No. 1535.—In exercise of the powers conferred by Section 36 (*e*) and (*f*) of the Births, Deaths and Marriages Registration Act, VI of 1886, the Governor-General in Council is pleased to frame the following rules for the guidance of Commissioners to be appointed under Section 35 A (1) of the above Act as amended by Act XVI of 1890. .

1. The descriptive lists to be prepared by the Commissioners appointed under Chapter V of the Act shall show, in three separate classes, the registers or records, or portions of registers or records,

(a) relating to births, baptisms, namings, or dedications;—

(b) relating to marriages;

(c) relating to deaths or burials.

2. Each list shall show in each class in alphabetical order the places at which the registers or records, or portions of registers or records, therein referred to have been kept.

3. The volumes of the registers or records, or portions of registers or records, kept at each place shall be shown in the list according to the chronological sequence of the entries therein; and the number so assigned to each volume in the list shall be written or impressed on the outside of such volume.

4. The pages of each register or record, or portion of a register or record, examined shall be numbered in consecutive order; and the total number of the pages in each register or record, or portion of a register or record, shall be entered in the descriptive list.

5. The entries in each year in every register or record, or portion of a register or record, examined shall be numbered in consecutive order, where this has not already been done; and the total number of entries for each year in each register or record, or portion of a register or record, shall be shown in the descriptive list, together with the dates of the first and last entries.

6. Every blank space, blank page, interlineation, and erasure found in each register or record, or portion of a register or record, when examined by the Commissioners, shall be indicated therein by a stamp impressed; and the descriptive list shall show in appropriate columns on what pages in each register or record, or portion of a register or record, such impressions have been made.

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[<sup>a</sup>] See the *Gazette of India*, October 18th 1890, Part I, p. 745.

## [Births, Deaths, and Marriages.]

7. Entries in registers or records, or portions of registers or records, which purport to be true copies only, shall be indicated therein by a stamp impressed; and the descriptive list shall show on what pages in each register or record, or portion of a register or record, such impressions have been made.

8. Every descriptive list shall further show in appropriate columns the following particulars:

- (1) the name and description of the person from whom each register or record, or portion of a register or record, to which it relates was received.
  - (2) the names and descriptions of the persons by whom such register or record, or portion of a register or record, was kept;
  - (3) the class or classes of persons to whom the entries in such register or record, or portion of a register or record, relate;
  - (4) the condition of each register or record, or portion of a register or record, or any other remarks relating thereto as the Commissioners may think fit to record.
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**Births, Deaths, and Marriages.]**

[<sup>a</sup>] No. 306, *dated the 4th March, 1892.*

In exercise of the power conferred by section 36 (G) of the Births, Deaths, and Marriages Registration Act (VI of 1886), the Governor-General in Council is pleased to frame the following rule for the guidance of the Commissioners appointed under Section 35 A (1) of the above Act as amended by Act XVI of 1890:—

The certificates in writing required by Section 34 (3) of the said Act shall be signed by not less than two Commissioners.

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[a] *The Gazette of India*, March 5th 1892, page 123, Part. I.

# CANTONMENTS.

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## NASIRABAD.

ORDERS BY HIS HONOR THE LIEUT.-GOVERNOR,  
NORTH-WESTERN PROVINCES.

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### NOTIFICATION.

JUDICIAL (CRIMINAL) DEPARTMENT.

No. 48 A [a].—*Dated, the 18th January 1866.*

It is hereby notified for general information that under *Section* XLI, Act XXII, of 1864, [b] the Hon'ble the Lieutenant-Governor has been pleased to extend the provisions of Act XXII, of 1864, [b] ("an Act to make provision for the administration of Military Cantonments") to the Military Cantonment of Nasirabad, with effect from the 27th of December 1865.

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### POLICE DEPARTMENT.

No. 396 A. [c].—*Dated, the 2nd July 1866.*

It is hereby notified, that under *Section* 14 of Act XXII of 1864, [b] the provisions of Act XX of 1856 are introduced into the Cantonment of Nasirabad, in the Ajmere Division.

Under *Section* 14 of the Act, it is also notified that the limits of the same Cantonment will be those defined in the measurement papers prepared by the Revenue Surveyor.

Under *Section* 10 of the Act, it is further declared that the tax is to be levied by a rate on houses and grounds according to the annual value thereof.

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[a] N. W. P., *Government Gazette*, dated 24th January 1866, page 29.

[b] Repealed by Act III of 1880, which was repealed by Act XII of 1889.

[c] N. W. P., *Government Gazette*, dated 11th July 1866, page 376.



## Cantonments.]

No. 397 A.<sup>[a]</sup>—Under *Section 12* of Act XXII of 1864, <sup>[b]</sup> the provisions of *Section 34*, Act V of 1861, are extended to the Cantonment of Nasirabad, in the Ajmere Division, and the Cantonment Magistrate is required to give local notice by proclamation of this extension, and of the provisions of the law.

## DEOLEE.

FOREIGN DEPARTMENT.

## NOTIFICATIONS.

## JUDICIAL.

No. 103 J.<sup>[c]</sup>—*Simla, the 5th June 1872.*

His Excellency the Viceroy and Governor-General in Council, is pleased to declare the Cantonment of Deolee to be part of the Ajmere District.

No. 99 J.<sup>[d]</sup>—*Dated, the 18th June 1875.*

The Governor-General of India in Council is pleased to declare that all Regulations that are now or may hereafter be in force in Ajmere and apply to, and have force within, those parts of the Cantonment are situated within the States of Oodeypore and Jeypore.

<sup>[a]</sup> *Gazette*, dated 11th July 1866, pp. 376-77.

<sup>[b]</sup> Act III of 1880 which was repealed by Act VIII of 1889.

<sup>[c]</sup> Part I, dated 8th June 1872.

<sup>[d]</sup> *The Gazette of India*, Part I, dated 19th June 1875.

## [Cantonments.]

No. 132 J. [a]—*Dated, the 11th October 1876.*

The Governor-General in Council is pleased under *Section 39 of Act XXII of 1864* [b] to extend the provisions of the aforesaid Act to the Cantonment of Deolee.

## NOTIFICATION.

*Mount Abu the 18th April 1885.*

No. 406 [c]—It is hereby notified that Act XX of 1856 as amended by Act XXII of 1871, is extended to the Cantonment of Deolee.

No. 191. [d]—*Dated, 26th February 1892.*

In exercise of the power conferred by Section 20 (1) of Act XIII of

Commissioned Officers.  
Sub-Assistant Surgeons.  
Hospital Assistants.  
Native Doctors.  
Warrant Officers.  
Non-Commissioned Officers.  
Hospital Attendants of any class.  
Trumpeters.  
Buglers.  
Drummers.  
Musicians.  
Soldiers.  
Unattested Recruits.  
Lascars.  
Mahouts.  
Drivers.  
Farriers.  
Syces.  
Grass-cutters.  
Artificers.

1889 (the Cantonments Act, 1889) the Governor-General in Council is pleased to declare that persons of the marginally noted classes named in clause (d), Part I, of the Indian Articles of War, and their families, shall be exempted from the payment of latrine fees in Cantonments.

[a] *Gazette of India*, dated 14th October 1876, Part I, page 541.

[b] Repealed by Act III of 1880 which was repealed by Act XIII of 1889.

[c] *Gazette of India*, Part II, dated 25th April 1885, page 192.

[d] *Gazette of India*, Part I, for 1892, page 117.

Cantonments.]

## CHIEF COMMISSIONER OF AJMERE-MERWARA.

### NOTIFICATION.

No. 917. [a]—*Dated, Mount Abu, the 30th October 1884.*

With the previous sanction of the Government of India, the Chief Commissioner of Ajmere-Merwara, under Section 25 of Act III of 1880, (The Cantonment Act) [b] directs the addition of the following Rule to those now in force in the Nasirabad Cantonment; "Birt sweepers are responsible for the cleanliness of all houses, buildings, privies, roads, and lands situated within such portions of the Cantonment as are comprised in their respective "mulkas," or Sub-divisions of the Bazaar."

[a] *Gazette of India*, Part II, dated the 8th November 1884, page 616.

[b] Repealed by Act XIII of 1889.

## NOTIFICATION.

No. 302 [a]—*Dated Mount Abu, the 16th May 1878.*

The following Rules made by the Chief Commissioner of Ajmere-Merwara, under Section 39 of the Ajmere Laws Regulation 1877, and with the previous sanction of the Governor-General in Council, for taxation in the Nasirabad Cantonment, are published for general information:—

1. On and after the 1st day of January 1878, a tax at the rates specified in the Schedule hereto annexed, shall be levied, upon all articles named in the said Schedule, which are imported into, and sold within, the Cantonment of Nasirabad.
2. [b] Any person intending to import any such articles into the Cantonment limits shall take them to the nearest octroi outpost, and obtain from the *Muharrir* there a *rawannah* specifying the description and quantity of the articles. [b].
3. All such articles shall be taken direct from the outpost to the *Gunj*, where the *Daroga* shall check the *rawannah*.
4. The importer of any such articles shall be called upon, at the time of their arrival at the *Gunj*, to declare whether such articles are for sale in the Cantonment or not.
5. If such articles be declared to be for sale, they shall remain in the Bonded Warehouse of the *Gunj* until sale and payment of the tax leviable thereon under the said Schedule, provided that the importer of any such articles declared to be for sale as aforesaid may at any time pay the said tax and remove the goods.
6. The *Daroga* of the *Gunj* shall grant a receipt for all payments made under these Rules.
7. When any articles brought to the *Gunj* are declared not to be for sale as aforesaid, the importer thereof may remove the same: Provided that, if such articles are merely in transit, they shall be

[a] *Rajputana Official Gazette*, dated 22nd June 1878, page 140.

[b b] Substituted for the original rule by Chief Commissioner's Notification No. 1044-149, dated the 29th August 1887, published at page 513 of the *Gazette of India*, Part II, dated 3rd September 1887.

## Cantonments.]

stored in the Bonded Warehouse, and shall remain there, till the importer finds it convenient to export them.

8. No person shall sell goods declared not to be for sale, without the permission in writing of the *Daroga*, and without having paid the tax leviable on the sale thereof.
9. [a] The importer of any articles, who has paid duty thereon under these Rules, shall, if he subsequently exports such articles, or any of them, be entitled to a refund of such duty, or of a proportionate amount of such duty, on application to the Cantonment Magistrate and production of a receipt testifying to the amount paid, provided that the articles have not meanwhile changed owners. [a]
10. Whoever infringes any of these Rules shall be liable, on conviction before a Magistrate, to the maximum penalties mentioned in Section 41, Ajmere Laws Regulation.

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[a a]. Substituted for the original rule by Chief Commissioner's Notification No. 1044-149, dated the 29th August 1887, published at page 513 of the *Gazette of India*, Part II, dated 3rd September 1887.

*Schedule of duties to be levied in the Nasirabad Cantonment.*

Name of Article.						Rate.	Per
<i>Class I.—Articles of food and drink for men and animals.</i>						Rs. u. p.	
Tea ...	...	...	...	...	...	2 8 0	Maund.
Betel Leaves ...	...	...	...	...	...	1 8 0	"
Betel Nut ...	...	...	...	...	...	1 0 0	"
Raisins ...	...	...	...	...	...	0 12 0	"
Ghee ...	...	...	...	...	...	0 8 6	"
Gur ...	...	...	...	...	...	0 1 6	"
Cotton Seeds ...	...	...	...	...	...	0 1 0	"
Cocoanuts (Kernel) ...	...	...	...	...	...	0 6 0	"
Cocoanuts with rind ...	...	...	...	...	...	0 3 0	"
Sugar ...	...	...	...	...	...	0 5 0	"
Turmeric ...	...	...	...	...	...	0 4 0	"
Potatoes ...	...	...	...	...	...	0 2 0	"
Rice ...	...	...	...	...	...	0 2 0	"
Grain of every description ...	...	...	...	...	...	0 0 6	"
<i>Class II.—Animals for Slaughter.</i>							
Sheep and Goats ...	...	...	...	...	...	0 1 0	Each.
<i>Class III.—Articles for fuel, lighting, and washing and clothing.</i>							
Oil Seeds ...	...	...	...	...	...	0 2 0	Maund.
Cotton, raw, cleaned and uncleaned ...	...	...	...	...	...	0 8 0	<i>Ad valorem</i> per cent.
<i>Class IV.—Articles used in the construction of buildings.</i>							
Lime or Chunam ...	...	...	...	...	...	1 0 0	100 Maunds.
Wood for building ...	...	...	...	...	...	0 4 0	Cart-load.
Moonj ...	...	...	...	...	...	0 2 0	Maund.
Bamboo ...	...	...	...	...	...	0 2 0	"
Slabs (pattis) ...	...	...	...	...	...	0 2 0	Cart-load.
Kutla (Slabs, small) ...	...	...	...	...	...	0 1 6	"
Boungla ...	...	...	...	...	...	0 1 0	Maund.
<i>Class V.—Spices.</i>							
Dry Chillies ...	...	...	...	...	...	0 4 0	"
<i>Class VI.—Tobacco.</i>							
1st Sort ...	...	...	...	...	...	1 2 0	"
2nd Sort ...	...	...	...	...	...	0 9 0	"
3rd Sort ...	...	...	...	...	...	0 4 6	"

The original schedule was cancelled and the present one substituted by Notification No. 2938 S, dated 26th December 1891.

The present schedule came into force on 1st April 1892, see *Gazette of India*, Part II, for 1892, page 3.

## Cantonments.]

## NOTIFICATION.

No. 436 [a].—*Dated Mount Abu, the 30th May, 1883.*

Under Section 39 of the Ajmere Laws Regulation III. of 1877, the Chief Commissioner is pleased to issue the following rules relative to taxation in the Nasirabad Cantonment:—

- I.—On and after the 1st April 1884 [b] the proceeds of the taxation collected under the authority of the Chief Commissioner's Notification No. 302, dated the 16th May 1878, shall constitute a distinct Local Fund to be called the "Nasirabad Octroi Fund."
- II.—Such contribution as the Chief Commissioner may from time to time direct to be made for the support of Educational Institutions in Nasirabad shall be a first charge on the Fund.
- III.—The Chief Commissioner may also from time to time assign a part of the proceeds of the Fund for the construction or maintenance of works of utility in the town of Nasirabad.
- IV.—The surplus proceeds of the Fund shall, after defraying the above-mentioned charges and the cost of collection, be at the disposal of the Cantonment Committee.

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[a] Published in the *Gazette of India*, Part II, dated 18th August 1883, page 449.

[b] "1st April 1884" was substituted for 1st July 1883 by No. 227, dated 31st March 1884, see *Gazette of India*, Part II, for 1884, page 308.

## MILITARY DEPARTMENT.

No. 617 [a].—*Dated Simla, the 4th July, 1890.*

## JUDICIAL.

In continuation of the Notification of the Government of India, in the Military Department, No. 1066, [b] dated the 20th December, 1889, the Governor-General in Council has been pleased to make the following rules, under Section 26, Clause 21, and Section 27, Sub-sections (2) and (4) of the Cantonments Act, 1889, and to direct that they be put in force in all Cantonments in British India :—

1. As many hospitals as may be necessary, within or without the limits of the Cantonment as the Cantonment authority with the concurrence of the District Magistrate may determine, shall be maintained, at the expense wholly or in part of the Cantonment Fund, for the treatment of persons suffering from infectious or contagious disorders.

2. A Medical Officer, to be appointed in such manner as the Local Government may direct, shall be in charge of every such hospital.

3. A person admitted to such a hospital shall be treated gratuitously, and if such person is without means of support and is either a resident of the Cantonment or was admitted to the hospital on the request of the Cantonment authority or of any officer of that authority, shall receive from the Cantonment fund such subsistence allowance, not being less than the lowest allowance for the time being, fixed by the Local Government under Section 338 of the Code of Civil Procedure, as the Cantonment authority may determine.

4. If the Medical Officer for the time being in charge of a hospital maintained under these rules for the treatment of persons suffering from any infectious or contagious disorder certifies in writing to the Commanding Officer of the Cantonment that any person is suffering; or is supposed by such Medical Officer to be suffering from the disorder, and such person either refuses to go to the hospital or, having gone to the hospital, leaves it before such Medical Officer has pronounced such person to be free from the

[a] Vide *Gazette of India*, Part I, for 1890, page 489.

[b] In this Notification a draft of these rules was published.



**Cantonments.]**

disorder, the Cantonment Magistrate may, on the application of such Medical Officer, order such person to remove from the Cantonment within twenty-four hours, and prohibit such person from remaining in or re-entering it without the written permission of such Medical Officer.

5. If a person having been prohibited under the last foregoing rule from the remaining in or re-entering a Cantonment remains in or re-enters the Cantonment without such written permission as is mentioned in that rule, such person shall be punished with fine which may extend to fifty rupees, or with imprisonment for a term which may extend to eight days, for every breach of the said prohibition.

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## NOTIFICATION.

No. 195.—*Dated Abu, the 21st February, 1891.* [a]

In exercise of the powers conferred by Section 28 (b) of the Cantonments Act XIII of 1889, the Chief Commissioner of Ajmera-Merwara is pleased to direct that the rules framed under Section 26, Clause (21), and Section 27, Sub-sections (2) and (4), of the said Act and published at page 489 of the *Gazette of India*, Part I, dated 5th July 1890, for the treatment of persons suffering from infectious or contagious disorders, shall extend to a distance of four miles from any part of the boundary of the Cantonment of Nasirabad.

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[a] (Vide *Gazette of India*, Part II, page 114, for 1891.)

[N.B.—For rules under the Hackney Carriages Act applicable to the Nasirabad Cantonment, see head Hackney Carriages.]



# NOTIFICATIONS AND RULES UNDER THE INDIAN CHRISTIAN MARRIAGE ACT XV OF 1872.

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## CHIEF COMMISSIONER'S NOTIFICATION.

[<sup>a</sup>] No. 591. *Dated Mount Abu, 4th August 1879.*

In exercise of the powers conferred by Section 7 of the Indian Christian Marriage Act (XV of 1872,) the Chief Commissioner is pleased to appoint the Assistant Commissioners of Ajmere and Merwara for the time being, to be the Senior Marriage Registrars within the Districts under their respective charges.

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*Extract from letter No. 593, dated Mount Abu 4th August 1879.*

*From—The Chief Commissioner of Ajmere.*

*To—The Commissioner of Ajmere.*

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PARA. 1.—Referring to your letter No. 141 C., dated 3rd July 1879, I am directed to state that the Chief Commissioner approves your suggestion that all Marriage Certificates should be submitted to the Local Government through your office.

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[<sup>a</sup>] Rajputana Official Gazette, dated 15th August 1879, p. 142.

## Christian Marriages.]

[<sup>a</sup>] NOTIFICATION No. 1704. *Dated the 6th August 1873.*

In exercise of the powers conferred by the Indian Christian Marriage Act, 1872 (Act XV of 1872,) Section 8, the Governor-General in Council hereby appoints the persons respectively holding the under-mentioned offices, for the time being, and being Christians, to be Marriage Registrars in respect of the places specified opposite the designation of each. •

And in exercise of the power conferred by Section 9 of the same Act, the Governor-General in Council hereby grants to the persons respectively holding the under-mentioned offices, for the time being, and being Christians, a license authorizing them to grant certificates of marriage between Native Christians within the aforesaid places:—

\* \* \* \* \* [b]

*Magistrate of Abu.*

All places within the territories of Native Princes or States in alliance with Her Majesty within the limits of the Serohi State.

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[a] See *Gazette of India* for August 9th 1873, Part I, p. 712.

[b] The portion of this Notification here omitted has been cancelled by Notification No. 4260 I, dated 26th October 1888, printed *infra*.

## [Christian Marriages.]

[<sup>a</sup>] No. 4260 I. *Dated 26th October, 1888.*

In exercise of the powers conferred by Sections 8 and 9 respectively of the Indian Christian Marriage Act, XV of 1872, the Governor-General in Council is pleased—

- (a) to appoint every Political Officer for the time being accredited to a Native State in the Rajputana Agency, being a Christian, to be a Marriage Registrar within the limits of that State ;
- (b) to license him to grant certificates of marriage between Native Christians within the said limits.

2. This Notification supersedes the Government of India, Foreign Department, Notification No. 1704 G, dated 6th August, 1873, except so far as relates to the Magistrate of Abu.

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[<sup>b</sup>] No. 4262 I. *The 26th October, 1888.*

In exercise of the powers conferred by Section 56 of the Indian Christian Marriage Act, XV of 1872, and in supersession of this Department Notification No. 1705 G, dated 6th August, 1873, the Governor-General in Council is pleased to appoint the Commissioner of Ajmere-Merwara, for the time being, as the Officer to whom Marriage Registrars in Native States within the Rajputana Agency shall send the certificates mentioned in Section 54 of the aforesaid Act.

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[<sup>a</sup>] *The Gazette of India*, October 27th 1888, Part I, p. 479.

[<sup>b</sup>] *The Gazette of India*, October 27th 1888, Part I, p. 479.

## Christian Marriages.]

## NOTIFICATION.

*Dated Camp Burr, 24th November, 1879.*

[<sup>a</sup>] No. 962.—Under Section 62 of the Indian Christian Marriage Act (Act XV of 1872) the Chief Commissioner is pleased to direct that all persons, licensed under Section 9 of the Act to grant Certificates of Marriages between Native Christians shall use the form of Register and Certificate prescribed in Schedule IV of the Act with the addition of a column at the end showing the hour at which the Marriage was performed and shall forward extracts from the Registers kept by them to the Magistrate of the District to be deposited in his office within one month from the date of Marriage.

Under Section 82 of the said Act the Chief Commissioner is further pleased to direct that the following fees shall be chargeable under the Act.

1. For receiving and publishing each notice of Marriage, Rs. 3.
2. For issuing Certificate of Marriage by Marriage Registrar and registering marriage by the same, Rs. 8.
3. For entering protest against or prohibition of the issue of a Marriage Certificate, Rs. 10.
4. For searching Register Books or Certificates, or duplicates, or copies thereof, if the search extends over a period of not more than one year, Re. 1 and for every additional year, 4 annas.

For giving copy of entry in the same under Sections 63 and 79, Re. 1.

The Marriage Registrar may at his discretion remit any part not exceeding three-fourths of the above fees when the party or parties appear to him to be in indigent circumstances.

All fees received by a Marriage Registrar shall be accounted for, and paid over by him to Government; those received by any person other than a Registrar, solemnizing a Marriage, may be retained by him.

Under Section 85 of the said Act the Chief Commissioner hereby declares that the Commissioner of Ajmere shall be held to be the District Judge for the purposes of Act XV of 1872 within the Ajmere and Merwara Districts.

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[<sup>a</sup>] "Rajputana Official Gazette" dated 6th December 1879, p. 235.

## NOTIFICATION [ " ] No. 1586 E I.

*Simla, the 29th August, 1892.*

In exercise of the powers conferred by Section 84 of the Indian Christian Marriage Act, (XV of 1872), the Governor-General in Council is pleased, so far as regards Christian subjects of Her Majesty within the territories of Native Princes or States in India for the time being in alliance with Her Majesty (excepting the Native States which are situate within or border on the Presidencies of Fort St. George and Bombay, but including the territories of His Highness the Maharaja of Mysore and those administered by the Agent to the Governor-General in Baluchistan as such Agent), to fix the following scale of fees to be charged under the Act and to make the following rules in regard to the disposal of such fees:—

## I.—SCALE OF FEES.

			Rs.	A.	P.
1.	For receiving each notice of Marriage	...	1	0	0
2.	For publishing each notice of Marriage	...	2	0	0
3.	For the issuing of each certificate of Marriage by a Marriage Registrar	...	5	0	0
4.	For registering each Marriage by a Marriage Registrar	...	3	0	0
5.	For entering each protest against, or prohibition of, the issue of a Marriage certificate by Marriage Registrar	...	10	0	0
6.	For searching marriage register-books or certificates, or duplicates or copies thereof, for a period of not more than one year, or in the case of a search of the register-books or certificates prescribed under Sections 37, 61 and 62 for a period of not more than two years	...	1	0	0
7.	For every additional year	...	0	4	0
8.	For granting a copy of any entry in marriage register-books or certificates, or duplicates or copies thereof, under Sections 63 and 79	...	1	0	0



## Christian Marriages.]

## II.—RULES.

I.—Fees levied by Marriage Registrars, being Government servants, must, until further notice, be paid into the Government Treasury, and shall be credited to Provincial Services or in such other manner as may be directed by the Government of India. Marriage Registrars who are not Government servants are permitted to retain for their own use any fees which they may receive under the first part of this Notification.

II.—The fees chargeable under the first part of this Notification shall not be levied when the parties concerned are officers or others in the Military or Naval services of Her Majesty.

III.—Marriage Registrars are authorised to remit any portion, not exceeding three-fourths, of the fees in cases in which they may consider the parties to be unable to pay such fees in full.

2. The following Notifications are hereby cancelled:

- (1) No. 2220, dated the 16th October, 1873, published at page 902 of Part I of the *Gazette of India* for 1873.
  - (2) No. 2823 I, dated the 8th July, 1891, published at page 416 of Part I of the *Gazette of India* for 1891.
  - (3) No. 4496 I, dated the 9th November 1891, published at page 631 of Part I of the *Gazette of India* for 1891.
  - (4) No. 383 I, dated the 26th January, 1892, published at page 70 of Part I of the *Gazette of India* for 1892.
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## [Christian Marriages.]

NOTIFICATION No. 1706 [ " ] dated 6th August, 1873.

In exercise of the power conferred by Section 86 of the Indian Christian Marriage Act 1872 (Act XV of 1872) the Governor-General in Council hereby notifies that the powers and functions given by the said Act to the Governor-General in Council are delegated to, and may be exercised by, the Agent Governor-General in Rajputana, for the time being, in respect to all places being British territory, within the limits of the Rajputana Agency.

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[a] See *Gazette of India*, Part I, for 1873, p. 712.

## Christian Marriages.]

No. 1605.

GOVERNMENT OF INDIA.

DEPARTMENT OF FINANCE AND COMMERCE.

SEPARATE REVENUE, &c.STAMPS.*Non-Judicial Stamps.**Simla, the 9th June, 1882.*

READ--

Letter from the Government of the North-Western Provinces and Oudh, No. 61 dated 10th March 1882, regarding the levy of stamp duty on extracts from Marriage Registers.

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RESOLUTION.—Under Section 79 of Act XV of 1872, every person solemnising a marriage, and required under the Act to register the same, and every Marriage Registrar or Secretary to a Local Government having the custody, for the time being, of any Register of Marriages, shall, on payment of the proper fees, give a copy under his hand of any entry in any Register of Marriages in his custody. Such copies, or extracts certified to be true copies or extracts by, or by order of, any public officer and not chargeable under the Court Fees Act, are, unless granted for record in any public office, or for any public purpose, liable to a Stamp duty of 8 annas each under Clause (a) of Article 22, Schedule I, of the Indian Stamp Act, 1879, except in cases provided for in Notification of the Government of India in this Department, No. 1603, dated 9th June 1882. But as it has been represented that the practice of granting such copies or extracts on stamped paper is not universally followed, the Governor-General in Council desires to invite the attention of the Local Governments to the requirements of the law with a view to the issue of such further orders as may be considered necessary.

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# COURTS.

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## THE CHIEF COMMISSIONER OF AJMERE AND MERWARA.

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### NOTIFICATION.

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*Gazette of India 5th May 1877.—Part I, and Rajputana Official Gazette  
26th May 1877.*

*Dated Mount Abu, 21st May 1877.*

WHEREAS by Resolution passed by the Secretary of State for India in Council on the sixteenth day of March 1871, the provisions of the thirty-third of Victoria, chapter three, section one, were declared applicable to Ajmere and Merwara;

and whereas the Chief Commissioner of Ajmere has proposed to the Governor-General in Council a draft of the following Regulation together with the reasons for proposing the same;

and whereas the Governor-General in Council has taken such draft and reasons into consideration and has approved of such draft, and the same has received the Governor-General's assent;

and whereas in pursuance of the directions contained in the said section, the said Regulation was published in the *Gazette of India* of the 5th instant.

In pursuance of the said directions the said Regulation is now published in the *Rajputana Official Gazette*.

# THE AJMERE COURTS REGULATION, 1877.

## CONTENTS.

### PREAMBLE.

### CHAPTER I.

#### PRELIMINARY.

### SECTIONS.

1. Short title.
- Local extent.
- Commencement.
- 2, 3. [*Repealed.*]

### CHAPTER II.

#### OF THE ADMINISTRATION OF CIVIL JUSTICE.

##### *A.—General.*

4. Ajmere and Merwara a single district.
- Grades of Courts in such district.
5. Appointment of Subordinate Judges and Munsifs.

##### *B.—Of Original Jurisdiction.*

6. Court of Commissioner.
7. Court of Subordinate Judge of first class.
8. Court of Subordinate Judge of second class.
9. Court of Munsif.
10. Subordinate Judge of first class may be invested with powers of District Court.
11. Any Subordinate Judge may be invested with powers of Small Cause Court.
12. Act IX of 1887 to apply.
13. Benches of Judges.

Their powers may be confined to specified classes of cases.

##### *C.—Of Appeals and References.*

14. Appeals from Courts of original jurisdiction.
15. When Commissioner and Chief Commissioner may receive second appeal.
16. When decision of first Appellate Court to be final.
17. Application to first Appellate Court to refer case.
18. Procedure on such application.

## SECTIONS.

19. Procedure on reference being made.
  20. Costs of reference.
  21. Any Appellate Court may make reference of its own motion.
  22. Period of limitation.
  23. Which Court deemed highest Court of Appeal.
- References under Chapter XLVI of the Code of Civil Procedure or section 11 of the Provincial Small Cause Courts Act, 1887.

*D. - Miscellaneous.*

24. Control over subordinate Courts. .
25. Power to distribute judicial business.
26. Power to withdraw suit and try it, or refer it to other Court.  
Delegation of similar power to Subordinate Judge.
27. Pleaders and Mukhtars.
28. Recognised agents.
29. Mode of recording evidence.
30. Exemption of certain property from sale in execution of decree.
31. [*Repealed.*]
32. Code of Civil Procedure to apply.
33. [*Repealed.*]

*E.—Special Provisions for the Hearing of Suits involving Questions regarding Succession to the Estates of Taluqdars, Thakurs and Jagirdars.*

34. Suits not to be heard in Court of lower grade than that of first class Subordinate Judge.
35. Chief Commissioner not bound to refer points to High Court.
36. Commissioner to refer points to Chief Commissioner instead of to High Court.
37. Procedure on reference to Chief Commissioner.

## CHAPTER III.

## OF THE ADMINISTRATION OF CRIMINAL JUSTICE.

38. Chief Commissioner to discharge functions of High Court.
39. Power to appoint one Magistrate of district for several districts.
40. [*Repealed.*]
41. Power to transfer cases from one district to another.

THE SCHEDULE. [*Repealed.*]

## Courts.]

## REGULATION I of 1877.

A Regulation to consolidate and amend the law relating to the administration of Civil and Criminal Justice in Ajmere and Merwara.

(Received the assent of the Governor-General on the 3rd May, 1877, and published in the *Gazette of India*, 1877, Part I, p. 227, and in the *Rajputana Official Gazette*, 1877, p. 116.)

WHEREAS it is expedient to consolidate and amend the law relating to the administration of civil and criminal justice in Ajmere and Merwara; it is hereby enacted as follows:—

## CHAPTER I.

## PRELIMINARY.

1. This Regulation may be called the Ajmere Courts Regulation, 1877.

It extends to all the territories now under the administration of the Chief Commissioner of Ajmere, and to which the provisions of the 33 Vict., cap. 3, section 1, [a] have been applied;

And it shall come into operation on such date [b] as the said Chief Commissioner, with the previous sanction of the Governor-General in Council, may, by a notification in the *Gazette of India*, direct.

2. [*Repeal of enactments.*] Repealed by Reg. IX of 1893.

3. [*Pending Proceedings.*] Repealed by Reg. IX of 1893.

## CHAPTER II.

## OF THE ADMINISTRATION OF CIVIL JUSTICE.

## A.—General.

4. For the purposes of the administration of civil justice the said territories shall form a single district, and there shall be five grades of Civil Courts in such district (namely):—  
1st, the Court of the Chief Commissioner;

[a] Printed in the Collection of Statutes relating to India, Ed. 1881, Vol. II, p. 878.

[b] The 1st of June, 1877—see *Gazette of India*, 1877, Pt. II, p. 290, and *Rajputana Official Gazette*, 1877, p. 126.

2nd, the Court of the Commissioner.

3rd, the Courts of Subordinate Judges of the first class;

4th, the Courts of Subordinate Judges of the second class;

5th, the Courts of Munsifs.

5. The Chief Commissioner, with the previous sanction of the Governor-General in Council may appoint as many persons as he thinks fit either by name or office to be in such district Subordinate Judges of the first or of the second class or Munsifs.

Appoint  
of Subor  
nate Ju  
and Mun

*B.—Of Original Jurisdiction.*

6. The Court of the Commissioner shall be deemed, for the purposes of all enactments for the time being in force, to be the District Court, or principal Civil Court of original jurisdiction, for such district.

Court of  
Commis

In original suits cognizable under the Code of Civil Procedure [ " ] the jurisdiction of the Commissioner shall, as regards the amount or value of the subject-matter, be without limit.

V of  
182.

7. The jurisdiction of a Subordinate Judge of the first class shall extend to all such suits in which the amount or value of the subject-matter does not exceed ten thousand rupees, or, where such Subordinate Judge is invested by the Commissioner with additional powers in this behalf, to all such suits without limit of such amount or value.

Court of  
Subordin  
Judge o  
class.

8. The jurisdiction of a Subordinate Judge of the second class shall extend to all such suits in which the amount or value of the subject matter does not exceed five hundred rupees.

Court of  
Subordin  
Judge of  
second c

9. The jurisdiction of a Munsif shall extend to all such suits when the amount or value of the subject-matter does not exceed one hundred rupees.

Court of  
Munsif.

10. In addition to the jurisdiction specified in section 7, a Subordinate Judge of the first class may exercise such powers conferred by any enactment for the time being in force on a principal Civil Court of original jurisdiction as may be delegated to him by the Commissioner.

Subordin  
Judge of  
class may  
invested  
powers o  
trict Cou

11. The Chief Commissioner may, with the previous sanction of the Governor-General in Council, invest any Subordinate Judge with the powers of a Judge of a Court of Small Causes, and may, with like sanction, from time to time determine the local limits within which such powers shall be exercised.

Any Sub  
dinate Ju  
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Court.

[a] This reference should now be read as applying to Act XIV of 1882—see s. 3 of the latter Act



Courts.]

A Subordinate Judge invested with the powers of a Judge of a Court of Small Causes under this section may, in addition to such powers, exercise any other civil jurisdiction conferred on him by or under this Regulation, or any other enactment for the time being in force.

12. The Court of a Subordinate Judge exercising the powers of a Judge of a Court of Small Causes shall be deemed to be a Court of Small Causes constituted under the Provincial Small Cause Courts Act, 1887<sup>[a]</sup> and, except as hereinbefore provided, and as provided in <sup>[b]</sup>section 23<sup>[b]</sup> of this Regulation, shall be subject to all the provisions of that Act in so far as they may be found applicable.

IX  
189

13. The Chief Commissioner may, with the previous sanction of the Governor-General in Council, direct that any of the powers hereinbefore conferred on any Court of the two lowest grades shall be exercised by any three persons sitting together as a Bench.

The Chief Commissioner may direct that any powers conferred under this section shall be exercised only in reference to some specified class of cases.

Where three such persons sit together as a Bench, the decision of the majority of such persons shall be deemed the decision of the Bench.

A Bench vested with the powers of a Court of any grade under this section shall be deemed to be a Court of such grade for all the purposes of this Regulation.

### C.—Of Appeals and References.

14. When by any law for the time being in force an appeal is allowed from any decree or order passed or made by a Civil Court of original jurisdiction, and no provision applicable to the territories to which this Regulation extends is made by such law for determining the Court to which such appeal shall lie, such appeal shall lie as follows, that is to say —

- (a) when such decree or order is passed or made by a Munsif or Subordinate Judge of the second class—to a Subordinate Judge of the first class specially empowered by the Chief Commissioner with the previous sanction of the Governor-General in Council to hear such appeals ;
- (b) when such decree or order is passed or made by a Subordinate Judge of the first class—to the Commissioner ;

[a] The reference to Act XI of 1865 is altered in accordance with Act IX of 1887, s. 2.

[b b] This reference was substituted for the original reference by Ajmere Reg. IX of 1893.

- (c) when such decree or order is passed or made by the Commissioner—to the Chief Commissioner.

15. When the decision of a Subordinate Judge or of the Commissioner passed in appeal reverses or modifies the decision of the Court of original jurisdiction on a point material to the merits of the case, and is not declared by any law for the time being in force to be final, the Commissioner or Chief Commissioner, as the case may be, may receive a second appeal, if, on a perusal of the grounds of appeal and of copies of the judgments of the subordinate Courts, a further consideration of the case appears to him to be requisite for the ends of justice.

When Commissioner and Chief Commissioner may receive second appeal.

16. When the Court of first appeal confirms the decision of the Court of original jurisdiction on a matter of fact, such decision shall be final.

When decision of first appellate Court to be final.

17. When the Court of first appeal confirms the decision of the Court of original jurisdiction on a question of law, or usage having the force of law, or the construction of any document, or the admissibility of any evidence affecting the merits of the case, no further appeal shall lie, but the party aggrieved by such decision may apply to such Court of first appeal to draw up a statement of such question and to submit it,

Application to first appellate Court to refer case.

if such Court of first appeal be that of a Subordinate Judge—to the Commissioner;

if such Court be that of the Commissioner or Chief Commissioner—to the High Court of Judicature for the North-Western Provinces.

Every application under this section shall, for the purposes of the Court-fees Act, 1870 [a], be deemed to be a memorandum of appeal to the Court of the Commissioner or to the High Court, as the case may be.

18. If the Court to which such application is made, after perusing such application and hearing the applicant if he claim to be heard, consider that there is a question of the nature specified in section 17, it shall draw up a statement of the same, and of such facts only of the case as are necessary to explain it, and shall submit such statement, together with the record of the case and its own opinion on such question, to the Commissioner or to the said High Court, as the case may be.

Procedure on such application.

19. The Commissioner or the said High Court, as the case may be, shall, with as little delay as possible, proceed to hear the case referred as if it were an appeal instituted in the Court of the said Commissioner or in the said High Court (except that it shall not be necessary for the parties to be pre-

Procedure on reference being made.

[a] For Act VII of 1870 see the revised edition, as modified up to 1st July, 1891, published by the Legislative Department.

## Courts.]

sent), and shall send a copy of the judgment passed thereon to the Court submitting the point, which shall dispose of the case in conformity therewith.

20. The costs, if any, consequent on the reference of the case to the Commissioner or High Court, shall be costs in the appeal out of which the reference arose.

21. When any appellate Court in the trial of a civil appeal entertains a doubt in respect of a question of the nature specified in section 17, such Court may refer such question in manner provided by section 18:

References under this section, when made by a Subordinate Judge, shall be made to the Commissioner, and, when made by the Commissioner or Chief Commissioner, to the High Court of Judicature for the North-Western Provinces.

All such references shall be dealt with in manner provided by Sections 19 and 20.

22. The period of limitation for an appeal under section 14 or section 15 shall run from the date of the decree, order or decision appealed against, and shall be as follows, that is to say :—

(a) when such appeal lies to a Subordinate Judge, thirty days:

(b) when such appeal lies to the Commissioner or Chief Commissioner, sixty days.

The period of limitation for an application under section 17 shall be thirty days, reckoned from the date of the decree or order of the appellate Court.

In other respects the limitation of such appeals and applications shall be governed by the provisions of the Indian Limitation Act, 1877[<sup>a</sup>].

XV  
187

23. The Court of the Chief Commissioner shall be deemed for the purposes of all enactments for the time being in force to be the highest Civil Court of appeal in the said territories:

[<sup>b</sup>] Provided that references under Chapter XLVI of the Code of Civil Procedure, or under section 11 of the Provincial Small Cause Courts Act, 1887, shall be made, not to the Chief Commissioner, but to the High Court of Judicature for the North-Western Provinces.

XIV  
1887  
IX  
1887

[a] The reference to Act IX of 1871 is altered in accordance with Act XV of 1877, s. 2. (For Act XV of 1877 see the revised edition, as modified up to 1st December, 1892, published by the Legislative Department.)

[b] This proviso was substituted for the original proviso by Ajmere Reg. IX of 1893.

*D.--Miscellaneous.*

24. The general control over all the Courts of the three lowest grades shall be vested in the Commissioner, subject to the superintendence of the Chief Commissioner. Control over subordinate Courts.

The general control over the Court of the Commissioner shall be vested in the Chief Commissioner.

25. Subject to the control of the Chief Commissioner, the Commissioner may direct the civil judicial business to be distributed among the Courts of the three lowest grades in such way as he thinks fit: Provided that no Court shall exercise any powers beyond those conferred on it by or under this Regulation or some other enactment for the time being in force. Power to distribute judicial business.

The Commissioner may delegate the power conferred on him by this section, wholly or in part, and subject to any limitations he deems fit, to any Subordinate Judge of the first class.

26. The Chief Commissioner or Commissioner shall have power to withdraw any suit or appeal pending in any Court subject to his control or superintendence, and try such suit or appeal himself, or refer it for trial to any other such Court competent to try the same. Power to withdraw suit, and try it, or refer it, to other Court.

The Commissioner may empower any Subordinate Judge of the first class to exercise a like power in respect of suits pending in the Court of any other Subordinate Judge or of any Munsif. Delegation of similar power to Subordinate Judge.

[ " ] In either of the following cases :—

- (a) if there is an appeal before the Chief Commissioner from a decree or order which was passed by him in any other capacity or in which he is personally interested,
- (b) if there is an application before him for the revision of such a decree or order,

he shall, unless the parties consent to his proceeding with the case himself, transmit the record to the High Court of Judicature for the North-Western Provinces, and that Court shall dispose of the appeal or application as though it had been preferred or made to itself. [ " ]

27. Notwithstanding anything contained in the Legal Practitioners Act XVIII of 1879 [ <sup>1</sup> ], no person shall be admitted or enrolled as a pleader or mukhtar under that Act after the passing of this Regulation. ~~Section 27 of Act XVIII of 1879~~

[a a] This paragraph was added by Act IX of 1899, s. 1.

[b] The reference to Act XX of 1885 is altered in accordance with Act XVIII of 1897.

## Courts.]

28. In addition to the persons mentioned in section 37 of the Code of Civil Procedure, [ " ] the following shall be deemed to be "recognised agents" for the purposes of the said Code :— XIV of 1882.

- (a) a party's relation, partner, servant or friend specially empowered to act and permitted by the Court to act as such agent ;
- (b) a person specially empowered to act as such agent by any of the Istimrardars and Jagirdars whose names are included in the schedule attached to the Ajmere Taluqdars Relief Regulation of 1872 ; XIV of 1872.
- (c) a vakil or other person authorised by any Prince or Chief to act for or represent him ;
- (d) an advocate, vakil or attorney enrolled on the roll of any High Court established by Letters Patent, when the Court before which the case is pending is of opinion, for reasons to be recorded by it, that it is essential for the proper conduct of such case to permit such advocate, vakil or attorney to act therein.

29. The Chief Commissioner may, with the previous sanction of the Governor General in Council, direct that in any class of suits between landlord and tenant in agricultural villages the evidence may be taken in the form prescribed by section 189 of the Code of Civil Procedure, [ <sup>b</sup> ] for cases in which an appeal does not lie to a higher tribunal. XIV of 1882.

30. The following property is exempted from attachment and sale in execution of decrees of the Civil Courts :—

land and wells not being situated within the inhabited limits of a town or village,

dwelling-houses belonging to agriculturists and occupied by their owners,

implements and materials used in husbandry and animals kept for agricultural purposes,

implements of trade or of domestic industry, and the necessary wearing-apparel of the debtor and his family.

Where the debtor is an agriculturist, it shall be in the discretion of the Court executing the decree, subject to any restrictions which the Chief Commissioner may from time to time, with the previous sanction of the Governor

[a] The reference to Act VIII of 1859, s. 17, is altered in accordance with Act XIV of 1882, s. 3.

[b] The reference to Act VIII of 1859, s. 172, is altered in accordance with Act XIV of 1882, s. 3.

## [Courts.]

General in Council, impose, to exempt from attachment or sale, besides the property hereinbefore mentioned, any agricultural produce which such Court may be satisfied, on such enquiry as it deems fit to make, is intended by such debtor to be used and is required for the subsistence of such debtor and the members of his family dependent on him, or as seed for the land cultivated by him, or as fodder for the animals kept by him for agricultural purposes.

31. [*Imprisonment in execution of decree.*] Repealed by Act VI of 1888, s. 9.

32. Except as otherwise provided in this Regulation or in any other enactment for the time being in force, the provisions of the Code of Civil Procedure [ " ] so far as the same may be applicable, shall apply to all suits, appeals and other proceedings in the Civil Courts. Code of Civil Procedure to apply.

XIV of 1882.

33. [*Amendment of Act XI of 1865, s. 21*] Repealed by Act IX of 1887.  
E.—*Special Provisions for the Hearing of Suits involving Questions regarding succession to the Estate of Taluqdars, Thakurs and Jagirdars.*

IV of 1872.

34. Notwithstanding anything contained in the foregoing sections of this Regulation, no suit in which any question regarding a right to inherit as heir by birth or adoption, or to succeed by any other title to the estates of any of the Taluqdars, Thakurs or Jagirdars entered in the schedule annexed to the Ajmere Taluqdars Relief Regulation, 1872, is in issue, shall be heard by any Court of a lower grade than that of a Subordinate Judge of the first class. Suits not to be heard in Court of lower grade than that of first class Subordinate Judge.

35. Notwithstanding anything contained in sections 17 and 18 of this Regulation, the Chief Commissioner shall not on appeal in such suits be bound to make any such reference to the High Court for the North-Western Provinces, as is by the said sections prescribed. Chief Commissioner not bound to refer points to High Court.

36. References made by the Commissioner of Ajmere, on appeal in such suits under sections 18 and 21, shall be made, not to the said High Court as provided by those sections but to the Court of Chief Commissioner: Commissioner to refer points to Chief Commissioner instead of to High Court.

Provided that, if, on any reference being made to him under this section, the Chief Commissioner is of opinion that such reference is one which should be disposed of by the said High Court, he may return it to the Commissioner with a view to its being submitted to that Court as provided by the said sections 18 and 21.

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[a] This reference should now be read as applying to Act XIV of 1882—see s. 3 of that Act.

## Courts.]

37. The Chief Commissioner shall, on such a reference being made to him, unless he returns it for submission to the said High Court proceed to deal with it in the same manner in all respects as the said High Court is required to do by sections 19 and 21, and his ruling or judgment thereon shall have the same effect as a ruling or judgment of the said High Court, and the Commissioner shall dispose of the case in conformity therewith.

The costs (if any) consequent on such reference shall be costs in the appeal out of which it arose.

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### CHAPTER III.

#### OF THE ADMINISTRATION OF CRIMINAL JUSTICE.

38. Except in reference to proceedings against European British subjects, or persons jointly charged with European British subjects, the Chief Commissioner shall discharge the functions of a High Court under the Code of Criminal Procedure, 1882.[ " ]

39. The Chief Commissioner may at any time appoint one person to be Magistrate of the district in two or more of the districts into which the territory to which this Regulation extends may be from time to time divided for the purposes of the said Code of Criminal Procedure, 1882.[ " ]

And any person so appointed may exercise any of his powers as Magistrate of the districts for one of such districts within the limits of any other of such districts.

40. [*Powers under Act X of 1872 (Code of Criminal Procedure), s. 36.*  
*Repealed by Reg. IX of 1893.*]

41. The Commissioner may transfer any criminal case or appeal, or any class of criminal cases or appeals, from a Criminal Court in any district to a Criminal Court competent to dispose of such case or appeal, or class of cases or appeals, in any other district.

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### THE SCHEDULE.

[*Enactments Repealed.*]

*Repealed by Reg. IX of 1893.*

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a] The reference to Act X of 1872 is altered in accordance with Act X of 1882, s. 2.

*Rajputana Official Gazette, 2nd June 1877.*

*Mount Abu, the 18th May 1877.*

No. 326—With the sanction of the Governor-General in Council, it is hereby notified that the Ajmere Courts Regulation No. I of 1877, published in the *Gazette of India* of the 5th May 1877, will come into force on the 1st day of June 1877.

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NOTIFICATION No. 355 A. OF 1877.

*Dated Mount Abu, the 1st June 1877.*

Under the authority vested in him by Section 5 of Regulation I of 1877, (The Ajmere Courts Regulation), the Officiating Chief Commissioner, with the previous sanction of the Governor General in Council, is pleased to appoint the following persons to be Subordinate Judges of the first or second class, or Munsiffs, in the District of Ajmere.

*To be Subordinate Judges of the 1st Class.*

The Assistant Commissioner of Ajmere.

The Assistant Commissioner of Merwara.

The Cantonment Magistrate, Nussereabad.

The Judicial Assistant.

[<sup>a</sup>] The Extra Assistant Commissioner 1st Grade.

*To be Subordinate Judges of the 2nd Class.*

The Extra Assistant Commissioner 2nd Grade.[<sup>a</sup>]

The Cantonment Magistrate, Deoli.

The Deputy Magistrate, of Kekri.[<sup>b</sup>]

*To be Munsiffs.*

The Tehsildar of Ajmere,

Do. of Beawar.

Do. Todgarh.

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[<sup>a</sup>] See C. C.'s Notification No. 312 C—114 III, dated 24th December, 1891, *Gazette of India* Pt. II, for 1892, p. 3.

[<sup>b</sup>] Vide C. C.'s Notification 484, dated 29th April 1891, *Gazette of India*, Pt. II, for 1891, p. 278.



## Courts.]

C. C.'s No. 355 B. of 1877.

*The 1st June 1877.*

Under the authority vested in him by section 11 of Regulation I of 1877, (The Ajmere Courts Regulation), the Officiating Chief Commissioner, with the previous sanction of the Governor General in Council, is pleased to invest the undermentioned Subordinate Judges with the powers of a Judge of Court of Small Causes [ *a* ] within the local limits below specified.

<i>Name.</i>	<i>Local Limits.</i>
The Assistant Commissioner Merwara.	The Tehsil of Beawar.
The Cantonment Magistrate, Nusseerabad.	The Cantonment of Nusseerabad and a distance of 4 miles beyond the Cantonment boundary.

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\* [ *b* ]

[*a*] The Judges of the Ajmere and Beawar Small Cause Courts have been invested with powers conferred by Section 344 to 359 Code of Civil Procedure on a District Court. See Notification No. 815, dated 28th September, 1883, printed under head "Procedure" *infra*.

[*b*] The latter part of this Notification has been superseded by the next Notification.

[<sup>a</sup>] No. 313 C 114 III—*Dated 24th December, 1891.*

In supersession of this Office Notification No. 496, dated the 17th July, 1877, defining the local limits of the Small Cause Court Jurisdiction of the Judicial Assistant, Ajmere, and of that part of the Chief Commissioner's Notification No. 355 B, dated the 1st June, 1877, which invested the Judicial Assistant with the powers of a Judge of the Court of Small Causes, the Chief Commissioner, under the authority vested in him by section 11 of the Ajmere Courts Regulation (I of 1877) and with the previous sanction of the Governor-General in Council, is pleased to invest the Extra Assistant Commissioner, 1st grade, with the powers of a Judge of a Court of Small Causes to be exercised within the limits defined below :—

Extra Assistant Commissioner, 1st grade, Ajmere.

The Ajmere Division of the Ajmere-Merwara District with the exception of the Kekri Pergunah, the Goela Thana, the Deoli Cantonment, the jurisdiction, as specified in the Notification of June, 1877, of the Cantonment Magistrate, Nasirabad, and the jurisdictions of the Honorary Magistrates of Bhinai, Masuda, Deolia, Bandanwara, and Kharwa.

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[<sup>a</sup>] *Gazette of India*, Pt. II., dated 2nd January, 1892. p. 2.

## Courts.]

No. 355 C. OF 1877.

*The 1st June, 1877.*

Under section 14 of Regulation I of 1877, (The Ajmere Courts Regulation, 1877), the Officiating Chief Commissioner, with the previous sanction of the Governor-General in Council, is pleased to empower the Assistant Commissioner, Ajmere, the Assistant Commissioner, Merwara, and the Judicial Assistant, to hear appeals from any decree or order passed or made by the Court of any Subordinate Judge of the 2nd Class or Munsiff.

No. 355 E. OF 1877.

*The 1st June, 1877.*

Under the authority vested in him by section 40 [ <sup>a</sup> ] of the Ajmere Courts Regulation, 1877, the Officiating Chief Commissioner is pleased to invest the Assistant Commissioner, Ajmere, with the powers which may be conferred on a Deputy Commissioner under section 36 [ <sup>b</sup> ] of the Code of Criminal Procedure, to be exercised within the limits of his jurisdiction as Magistrate of the District.

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[<sup>a</sup>] Repealed by Regulation IX of 1893.

[<sup>b</sup>] Corresponding with Sections 80 and 84 of Act X of 1882.

## FOREIGN DEPARTMENT.

## NOTIFICATION.

## POLITICAL.

[<sup>a</sup>] No. 2112 P. *Fort William, the 25th September, 1874.*

*Whereas by Notifications, No. 505 P, dated 18th March 1870, and No. 2091 P, dated 30th November 1870, and in accordance with treaties made between the British Government and His Highness the Maharaja of Jeypoor, and His Highness the Maharaja of Jodhpoor, respectively, a Court known as the Sambhur Lake Court was established, and the local limits of its jurisdiction were defined; and whereas the powers of the presiding Judge were described by reference to the late Code of Criminal Procedure, Act No. XXV of 1861; and whereas the said Act has been repealed and re-enacted with amendments by Act No. X of 1872 [<sup>b</sup>]; and whereas it is desirable to consolidate the aforesaid Notifications, and to describe the powers of the Judge of the said Court with reference to the said Act X of 1872 [<sup>b</sup>], as amended by Act XI of 1874: [<sup>b</sup>]. In supersession of the aforesaid Notifications, the following revised Notification is published for general information:—*

Whereas by a Treaty dated the 7th day of August 1869, and made between the British Government and His Highness the Maharaja of Jeypoor, and by a Treaty dated the 22nd day of November 1869, and made between the British Government and His Highness the Maharaja of Jodhpore, to enable the British Government to carry on the manufacture and sale of Salt at the Sambhur Lake, it was (amongst other things) agreed that the Governments of Jeypore and Jodhpore should empower the British Government, and all officers appointed by the British Government in this behalf, to enter and search, in case of suspicion, houses and all other places, enclosed

The strip of territory bordering the shores of the Sambhur Lake, including the town of Sambhur and twelve other hamlets and comprising the whole of the territory now subject to the joint jurisdiction of the States of Jeypoor and Jodhpore, and which has been demarcated under the said treaties as well as such portions of the Lake itself or of its dry bed as are now under the said joint jurisdiction.

limits in the violation of any of the rules which may be laid down by the British Government in regard to the manufacture, sale or removal of Salt,

or otherwise within the limits noted on the margin, and to arrest and punish with fine, imprisonment, confiscation of goods, or otherwise, all persons detected within such

[<sup>a</sup>] *Gazette of India, 25th September, 1874, Pt. I. p. 491.*

[<sup>b</sup>] *Repealed in British India by Act X of 1832.*

No. 355 C. of 1877.

*The 1st June, 1877.*

Under section 14 of Regulation I of 1877, (The Ajmere Courts Regulation, 1877), the Officiating Chief Commissioner, with the previous sanction of the Governor-General in Council, is pleased to empower the Assistant Commissioner, Ajmere, the Assistant Commissioner, Merwara, and the Judicial Assistant, to hear appeals from any decree or order passed or made by the Court of any Subordinate Judge of the 2nd Class or Munsiff.

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No. 355 E. of 1877.

*The 1st June, 1877.*

Under the authority vested in him by section 40 [ <sup>a</sup> ] of the Ajmere Courts Regulation, 1877, the Officiating Chief Commissioner is pleased to invest the Assistant Commissioner, Ajmere, with the powers which may be conferred on a Deputy Commissioner under section 36 [ <sup>b</sup> ] of the Code of Criminal Procedure, to be exercised within the limits of his jurisdiction as Magistrate of the District.

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[<sup>a</sup>] Repealed by Regulation IX of 1893.

[<sup>b</sup>] Corresponding with Sections 30 and 34 of Act X of 1882.

## FOREIGN DEPARTMENT.

## NOTIFICATION.

## POLITICAL.

[ " ] No. 2112 P. Fort William, the 25th September, 1874.

Whereas by Notifications, No. 505 P, dated 18th March 1870, and No. 2091 P, dated 30th November 1870, and in accordance with treaties made between the British Government and His Highness the Maharaja of Jeypoor, and His Highness the Maharaja of Jodhpore, respectively, a Court known as the Sambhur Lake Court was established, and the local limits of its jurisdiction were defined; and whereas the powers of the presiding Judge were described by reference to the late Code of Criminal Procedure, Act No. XXV of 1861; and whereas the said Act has been repealed and re-enacted with amendments by Act No. X of 1872 [ <sup>b</sup> ]; and whereas it is desirable to consolidate the aforesaid Notifications, and to describe the powers of the Judge of the said Court with reference to the said Act X of 1872 [ <sup>b</sup> ], as amended by Act XI of 1874: [ <sup>b</sup> ] In supersession of the aforesaid Notifications, the following revised Notification is published for general information:—

Whereas by a Treaty dated the 7th day of August 1869, and made between the British Government and His Highness the Maharaja of Jeypoor, and by a Treaty dated the 22nd day of November 1869, and made between the British Government and His Highness the Maharaja of Jodhpore, to enable the British Government to carry on the manufacture and sale of Salt at the Sambhur Lake, it was (amongst other things) agreed that the Governments of Jeypore and Jodhpore should empower the British Government, and all officers appointed by the British Government in this behalf, to enter and search, in case of suspicion, houses and all other places, enclosed

The strip of territory bordering the shores of the Sambhur Lake, including the town of Sambhur and twelve other hamlets and comprising the whole of the territory now subject to the joint jurisdiction of the States of Jeypoor and Jodhpore, and which has been demarcated under the said treaties as well as such portions of the Lake itself or of its dry bed as are now under the said joint jurisdiction.

or otherwise within the limits noted on the margin, and to arrest and punish with fine, imprisonment, confiscation of goods, or otherwise, all persons detected within such limits in the violation of any of the rules which may be laid down by the British Government in regard to the manufacture, sale or removal of Salt,

[a] *Gazette of India*, 25th September, 1874, Pt. I. p. 491.

[b] *Repealed in British India by Act X of 1832*,

or the prevention of unlicensed manufacture or smuggling; and that under the authority of the said Governments of Jeypore and Jodhpore, the British Government should constitute a Court presided over by a competent officer, who should usually hold his sittings within the abovementioned limits for the trial and punishment on conviction of all persons charged with violations of the said rules and regulations, or with offences connected therewith; and the British Government was also authorized to cause the confinement of any such offenders sentenced to imprisonment either within the aforesaid limits, or within its own territories, as might seem to it most fitting.

And whereas, by Treaty dated 18th April 1870, and made between the British Government and His Highness the Maharaja of Jodhpore, to

A strip of territory bordering the shores of the Lake throughout within the separate jurisdiction of Jodhpore, including Nawa, Godha, and other villages and hamlets, and averaging two miles in width measured from the high water limits of the Lake, and which has been demarcated under the said treaty as well as such portions of the lake itself or of its dry bed as are now under the exclusive and separate jurisdiction of Jodhpore.

enable the British Government to carry on the manufacture and sale of Salt at Sambhur Lake, the local limits of the jurisdiction of the said Court were extended, so as to include the territories noted in the

margin, and the existing provisions as to the powers and procedure of the said Court were applied thereto in the exercise of its jurisdiction so extended.

In pursuance of the provisions hereinbefore cited, and under the authority aforesaid, the Viceroy and Governor-General of India in Council hereby declares—

*First.*—The said Court, called the Sambhur Lake Court, shall, notwithstanding the supersession of the said Notifications, continue to be established, and all proceedings commenced therein prior to the date of this Notification shall be carried on in the said Court as if they had commenced therein after such date. And all rules and orders in force in the said Court immediately before such date shall continue in force (except so far as the same are altered hereby) until the same are altered by competent authority.

*Second.*—The local limits of the jurisdiction of such Court shall be the limits aforesaid marginally noted.

*Third.*—The Assistant Commissioner for the time being in charge of the British Inland Customs Department at the Sambhur Lake shall be the Judge of such Court. He shall have the powers of a Magistrate of the 1st Class under the Code of Criminal Procedure

## [Courts.]

[*Act X of 1872*][<sup>a</sup>], and also the further powers described in Sections 26, 27 and 28 of the said Code,[<sup>b</sup>] and he shall have according to such powers jurisdiction—

(A) in respect of all offences committed by subjects of Her Majesty within the aforesaid limits and punishable under the Indian Penal Code or under any local or special law in accordance with Sections 7 and 8 and the 4th Schedule of the Code of Criminal Procedure [<sup>c</sup>], and

(B) in respect of breaches of the rules described in Article III of the said Treaties, or offences connected therewith, when committed by any person whatsoever within the aforesaid limits.

*Fourth.*—In the investigation and trial of such offences and breaches of rules, and in the levy of fines therefor, he shall be guided by the provisions of the Code of Criminal Procedure [*Act X of 1872 as amended by Act XI of 1874.*][<sup>d</sup>]

*Fifth.*—In all cases in which salt shall be manufactured, carried, or stored, within the said limits in contravention of the rules for the time being in force for the regulation of such manufacture, carriage or storage, the said Court is empowered, in addition to any other penalty which it is authorized to inflict, to declare the said salt confiscated, and dispose of it according to the rules for the time being in force in the Department of Inland Customs.

*Sixth.*—For the purpose of trying offences described in paragraph 3 (A) preceding, when committed by subjects of Her Majesty within the limits of the jurisdiction of the Sambhur Lake Court, the aforesaid limits shall be deemed to be a division of the Ajmere District.

*Seventh.*—Any person convicted on a trial held by the Sambhur Lake Court of a breach of the rules described in Article III of the said Treaties, or offences connected therewith, and any person aggrieved by proceedings held under such rules, may petition the Agent to the Governor General for the States of Rajputana, who, if he see fit, may send for the record of the case, and may confirm, reverse, or modify the sentence, or pass any other orders not inconsistent with the rules aforesaid.

[<sup>a</sup>] Repealed by Act X of 1882.

[<sup>b</sup>] Corresponding with sections 36, 37 and 191 (*b*) and (*c*) of Act X of 1882.

[<sup>c</sup>] Corresponding with sections 5, 28, 29 cl. 1 and cl. 2 (*a*) and Schedule II of Act X of 1882.

[<sup>d</sup>] Repealed by Act X of 1882.



[<sup>a</sup>] No. 2113 P. — *Dated the 25th September 1874.*

With reference to the preceding Notification, the Governor-General in Council in the exercise of the powers vested in him by Section 6 of Act XI of 1872 [<sup>b</sup>] [The Foreign Jurisdiction and Extradition Act] hereby appoints the Assistant Commissioner for the time being in charge of the British Inland Customs Department at the Sambhur Lake, being a European British subject, to be a Justice of the Peace within the limit of the jurisdiction of the Sambhur Lake Court. The Governor-General in Council is further pleased to declare that the High Court at Allahabad shall be the Court to which such Justice of the Peace is to commit European British subjects for trial.

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[<sup>a</sup>] See *Gazette of India* for 1874, Pt. I, p. 492.

[<sup>b</sup>] Now read Act XXI of 1879, by which Act XI of 1872 was repealed.

## Courts.]

[<sup>a</sup>] No. 3391 J.—*Dated Fort William, the 19th December, 1879.*

WHEREAS by a Treaty dated the 18th day of January 1879, and made between the British Government and His Highness the Maharaja of Jodhpore, for the security of the Salt Revenue of British India in the event of the abolition of the Inland Customs Line, it was (amongst other things) agreed that His Highness the Maharaja should extend the provisions of Articles III, V, VI, and XVI of the Sambhur Lake Treaty of 1870 to (amongst other salt sources) the Didwana Salt source, so far as they may be applicable; and whereas by Articles III and VI of the said Sambhur Lake Treaty of 1870, above referred to, it was agreed between the British Government and His Highness the Maharaja of Jodhpore that the Jodhpore Government should empower the British Government, and all officers appointed by the British Government for such purposes, to enter and search, in case of suspicion, houses and all other places, enclosed or otherwise, within the limits thereafter defined, and to arrest and punish with fine, imprisonment, confiscation of goods, or otherwise, any and all persons detected within such limits in the violation of any of the rules or regulations which might be laid down by the British Government in regard to the manufacture, sale, or removal of salt, or the prevention of unlicensed manufacture or smuggling, and that, under the authority of the said Jodhpore Government, the British Government should constitute a court, presided over by a competent officer, for the trial and punishment on conviction of all persons charged with violations of the said rules and regulations or offences connected therewith; and that the British Government should be authorized to cause the confinement of any such offenders sentenced to imprisonment within the aforesaid limits or elsewhere as might seem to it most fitting.

In pursuance of the provisions hereinbefore recited, and under the authority aforesaid, the Governor-General of India in Council hereby declares—

*First.*—A Court to be called the Didwana Salt Source Court is hereby established.

*Second.*—The local limits of the jurisdiction of such Court shall be the limits of the Didwana Salt Source, as they may be demarcated under Article V of the said Treaty of the 18th day of January 1879.

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[<sup>a</sup>] Vide *Gazette of India* for 1879, Part I, p. 820.

*Third.*—The Assistant Commissioner, for the time being in charge of the British Inland Customs at the Didwana Salt Source, shall be the Judge of such Court. He shall have the powers of a Magistrate of the 2nd class under the Code of Criminal Procedure, with power to commit persons to the Court of Sessions for offences triable by such Court, and he shall have, according to such powers, jurisdiction—

- (a) in respect of all offences committed within the said local limits by subjects of Her Majesty, and punishable under the Indian Penal Code, or under any local or special law in accordance with sections 7 and 8 and the fourth Schedule of the Code of Criminal Procedure [ <sup>a</sup> ]; and
- (b) in respect of breaches of the rules from time to time laid down by the British Government in regard to the manufacture, sale, and removal of salt, or the prevention of unlicensed manufacture and smuggling, or offences connected therewith, when committed by any person whatsoever within the said local limits.

*Fourth.*—In the investigation and trial of such offences and breaches of rules, and in the levy of fines therefor, he shall be guided by the provisions of the Code of Criminal Procedure.

*Fifth.*—In all cases in which salt shall be manufactured, carried, or stored within the aforesaid salt source in contravention of the rules for the time being in force for the regulation of such manufacture, carriage, or storage, the said Court is empowered, in addition to any other penalty which it is authorized to inflict, to declare the said salt confiscated, and dispose of it according to the rules for the time being in force in the Department of Inland Customs.

*Sixth.*—For the purpose of trying offences provided for in paragraph 3 (a) preceding, the local limits of the jurisdiction of the said Court shall be deemed to be a division of the Ajmere district.

*Seventh.*—Any person convicted on a trial held by the Didwana Salt Source Court of a breach of the rules described in paragraph 3 (b) or offences connected therewith, and any person aggrieved by proceedings held under such rules, may petition the Agent to the Governor-General for the States of Rajputana, who, if he sees fit, may send for the record of the case and may confirm, reverse, or modify the sentence, or pass any other orders not inconsistent with the rules aforesaid.

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[<sup>a</sup>] See note [c] on page 199 *supra*.

*The accompanying circular which is issued with the approval of the Judicial Commissioner, Ajmere-Merwara, makes no change in the existing practice of Civil Courts but has been found necessary to give formal authority to such practice and guard against any error in future procedure.*

CIRCULAR No. 695 J. OF 1889.

In exercise of the power vested in him by section 25 of the Ajmere Courts Regulation, the undersigned directs that until further orders the civil judicial business shall be distributed among the Courts of the three lowest grades referred to in section 4 of the said Regulation in the following manner:—

Assistant Commissioner, Ajmere, (Sub-Judge First Class.)	} The whole of the Sub-district of Ajmere.
Cantonment Magistrate, Nasirabad, (Sub-Judge First Class.)	
Judicial Assistant Commissioner, Ajmere, (Sub-Judge First Class.)	
Extra Assistant Commissioner, Ajmere, (Sub-Judge First Class.)	
The Deputy Magistrate of Kekri, (Sub-Judge Second Class.)	
The Tehsildar and Naib Tehsildar of Ajmere, (Munsiffs.)	} The limits of the Deoli Cantonment.
Cantonment Magistrate, Deoli, (Sub-Judge Second Class.)	
Assistant Commissioner, Merwara, (Sub-Judge First Class.)	} The whole of the Sub-district of Merwara.
Tehsildar and Naib Tehsildar Beawar exercising powers of Munsiffs.	
Tehsildar, Todgarh, exercising powers of Munsif.	} The limits of the Beawar Tehsil.
	} The limits of the Todgarh Tehsil.

Istimrardars invested with civil jurisdiction shall exercise their powers within the limits of their respective Istimirari Estates.

*Note*—For the purposes of this rule the Istimirar Estate of Deolia shall be deemed to be included in the Bhinae Estate.

Nothing herein contained shall be deemed to affect the territorial jurisdiction of Small Cause Courts.

AJMERE:

G. H. TREVOR, COL.,

Dated the 20th March, 1889. }

Commissioner, Ajmere-Merwara.

[Courts.]

## CIRCULAR MEMO. BY COMMISSIONER.

It has come to my notice that a set of unlicensed Dalals are springing up in Ajmere and that many Courts allow them to plead before them, sometimes alone, sometimes with licensed Pleaders, and that licensed Pleaders are in the habit of taking cases from them and sometimes presenting power of Attorney with their name included as representatives of the parties.

This custom must be stopped. It lies with the Presiding Officer of the Court to put an immediate stop to this practice and I call on all the Courts to do their duty in this matter.

If pleaders in future take cases from such men, their certificates will be recalled at once, and the Chief Commissioner will be requested to sanction the cancelment of such licenses.

If the Courts notice such men to be regular attendants at their Courts, or hangers on against the Court premises, they should take steps to prevent their presence, or having access to any official documents, or being in any way recognized, and if the Courts do their duty properly, these men will no longer find it profitable to waste their time at the Court house.

Some of the Pleaders are related to the Officer presiding in the Courts; it is hoped that where this is the case the Pleaders seldom, if ever, appear. If it be found that this warning is overlooked, it may become necessary hereafter to issue further orders on this subject.

This order is to be translated and copied and circulated to all Courts in this District for information and guidance.

AJMERE,

21st October, 1880.

(Sd.) LESLIE SAUNDERS,

*Commissioner and District Judge.*

## CIRCULAR MEMO.

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No. 419 G OF 1886.

*Dated Ajmere, the 15th May 1886.*

To

*All Civil and Criminal Courts in the Ajmere-Merwara District.*

It has been brought to my notice that a Pleader holding a Sanad from the Bombay High Court has lately been allowed to practice in some of the Subordinate Courts in Ajmere, and this after he had applied to me unsuccessfully for authority to appear in the Courts here. This procedure being in contravention of the provisions of the Ajmere Courts Regulation, I have to point out that the Subordinate Courts in Ajmere-Merwara are not at liberty to allow any one to plead before them in Civil cases except under the authority of the rules in force in that Regulation, which, until they are replaced by others or relaxed by special permission, must be strictly observed.

G. H. TREVOR, Lt.-Col.

*Commissioner.*

Courts. ]

## CIRCULAR MEMO. BY COMMISSIONER.

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(Sd.) LESLIE SAUNDERS,  
*Commissioner and District Judge.*

AJMERE,                    }  
21st October, 1880.       }

[Courts.]

## CIRCULAR MEMO.

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No. 419 G of 1886.*Dated Ajmere, the 15th May 1886.*

To

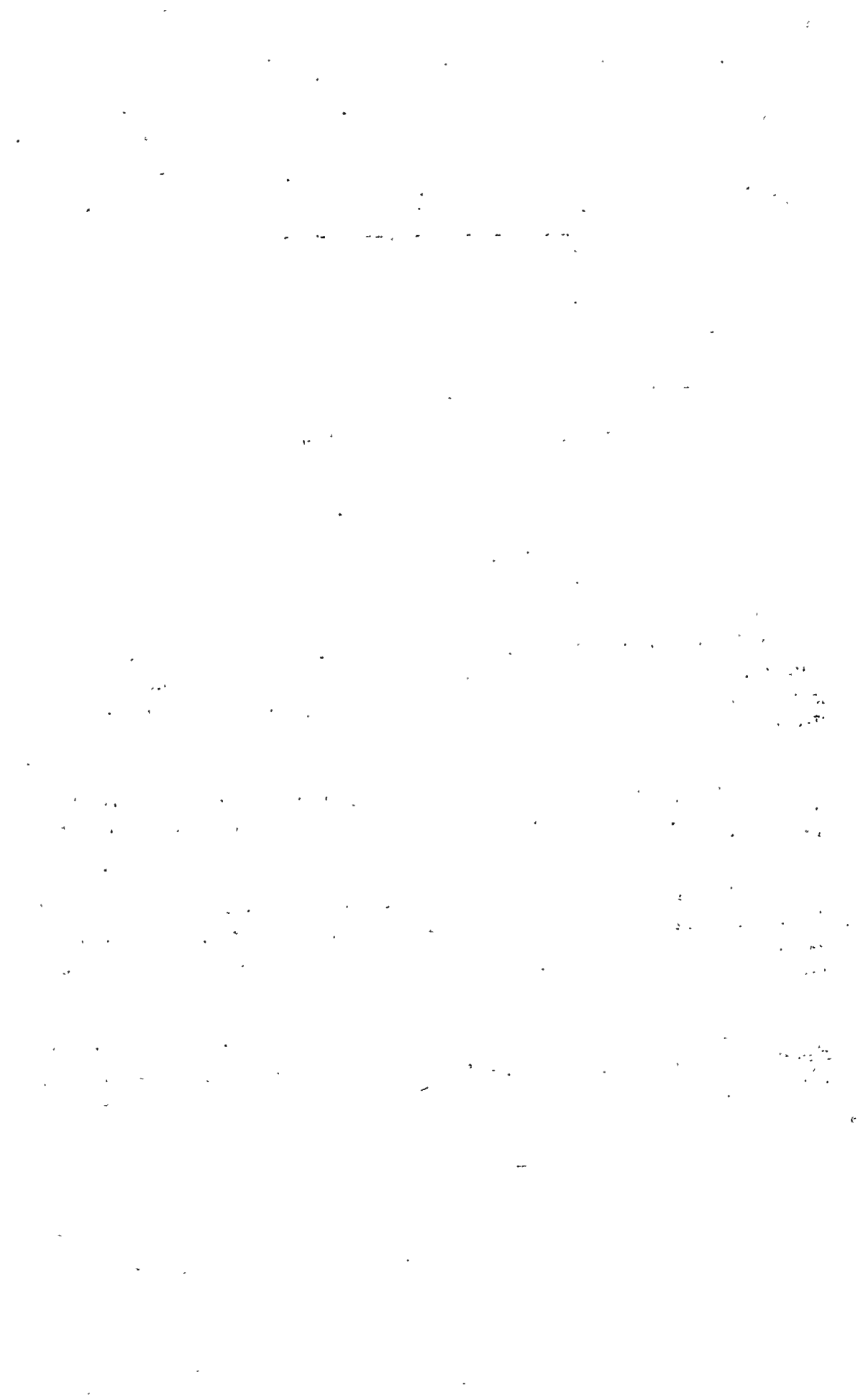
*All Civil and Criminal Courts in the Ajmere-Merwara District.*

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G. H. TREVOR, Lt.-Col.

*Commissioner.*





# DIWAN'S ESTATE.

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*The Gazette of India, January 15th, 1887, Part I., page 23.*

## LEGISLATIVE DEPARTMENT.

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### NOTIFICATION.

*The 14th January, 1887.*

No. 6.—WHEREAS by resolution passed by the Secretary of State for India in Council on the sixteenth day of March, 1871, the provisions of the 33rd of Vic. Chap. 3, Sec. 1, were declared applicable to Ajmere and Merwara ;

And whereas the Chief Commissioner of Ajmere-Merwara has proposed to the Governor-General in Council a draft of the following Regulation, together with the reasons for proposing the same ;

And whereas the Governor-General in Council has taken the draft and reasons into consideration, and has approved of the draft and the same has received the Governor-General's assent on the fourteenth day of January, 1887 ;

In pursuance of the direction contained in the said Section, the said Regulation is now published in the *Gazette of India* and *Local Gazette* for Ajmere and Merwara:—

## Diwan's Estate.]

## REGULATION No. III of 1887.

A Regulation to make provision for the Payment of the Debts of Diwan Ghyas-ud-din Ali Khan, Sajjada-nashin of the Dargah Khwaja Sahib at Ajmere.

*(Received the assent of the Governor-General on the 14th January, 1887, and published in the Gazette of India, 1887, Part I. page 23.)*

WHEREAS on the twentieth day of September, 1884, the Commissioner of Ajmere made an order purporting to place the property of Diwan Ghyas-uddin Ali Khan, Sajjada-nashin of the Dargah Khwaja Sahib at Ajmere, under the charge and administration of the Court of Wards, and directing monition to be made by proclamation against the giving of credit to the Diwan;

And whereas the Court of Wards borrowed from certain bankers the sum necessary to discharge most of the debts due from the Diwan, and agreed to pay interest on that sum at the rate of eight per centum yearly;

And whereas it is expedient that the Government should repay to the bankers the sum borrowed from them, with interest, if any, due thereon, and advance money for that purpose at a lower rate of interest;

And whereas it is expedient that the Government should also advance money for the satisfaction of certain debts due from the Diwan to the amount of about four thousand five hundred rupees which the Court of Wards did not discharge out of the sum borrowed from the bankers;

It is hereby enacted as follows:—

1. (1) This regulation may be called the Diwan's Estate Regulation, 1887; and

(2) it shall come into force at once.

2. In this Regulation the expression "Her Majesty" includes Her heirs and successors to the Crown.

3. The order made by the Commissioner on the twentieth day of September, 1884, and the sum borrowed by the Court of Wards from the bankers after that date for the purpose of discharging debts due from the Diwan, shall be deemed to have been respectively made and borrowed in accordance with law.

## [Diwan's Estate.]

4. From the time when the Government advances any of the money necessary either to repay the sum which the Court of Wards borrowed from the bankers, or to satisfy the debts due from the Diwan which the Court of Wards did not discharge out of that sum, all the rights which the Diwan has at any time possessed in the villages of Hokran, Kalan and Khurd, and Kishnpura, including Goela, and all the rights which he may have or at any time acquire in any other property, moveable or immoveable, in the district of Ajmere, shall vest in Her Majesty free from any incumbrance, and shall remain so vested until from the income arising therefrom and from other sources all the money which may be advanced by the Government for the purposes stated in the preamble has been repaid to the Government with interest at the rate of five per centum yearly:

Certain property of Diwan in the Ajmere district to vest temporarily in the Government.

provided that, if the Diwan dies before that money has been repaid with interest as aforesaid, the rights in the villages expressly named in this section shall on his death cease to vest in Her Majesty, and shall thereupon vest in the person who may succeed the Diwan as Sajjada-nashin of the Dargah Khwaja-Sahib.

5. From that time also Her Majesty shall be deemed to be usufructuary mortgagee of all the rights which the Diwan has at any time possessed in the village of Dilwara, and those rights shall be deemed to be free from any other incumbrance, and shall remain vested in Her Majesty until from the income arising therefrom and from other sources all the money which may be advanced by the Government for the purposes stated in the preamble has been repaid to the Government with interest at the rate of five per centum yearly:

Other property of Diwan in the Ajmere district transferred to the Government by way of usufructuary mortgage.

6. From that time also the property so vested shall cease to be under the charge of the Court of Wards, and shall be administered, and, so long as it remains so vested, shall continue to be administered, on behalf of the Government by such agent as the Chief Commissioner, with the previous sanction of the Governor-General in Council, may from time to time appoint in that behalf.

Administration of property.

7. When any sum comes into the possession of the Government from a source of income which the Diwan has beyond the limits of the district of Ajmere, the sum may be applied to the repayment of the money advanced by the Government and the interest due or becoming due thereon.

Receipts from property of Diwan beyond the Ajmere district.

8. An order made or process issued by any Court for the attachment, delivery or sale of any property vested in Her Majesty under this Regulation, or for the attachment of income arising from any such property, or for the

Exemption of property from attachment, delivery or sale.

## Diwan's Estate.]

attachment of any such sum as is referred to in the last foregoing section, shall be void.

9. The Diwan shall be, and shall be deemed to have been on and from the twentieth day of September, 1884, incompetent to transfer or create any charge on, or interest in, any property in the district of Ajmere which is mentioned or referred to in this Regulation, or to enter into any contract involving him in pecuniary liability.

10. While the property vested in Her Majesty by this Regulation is administered on behalf of the Government, the Government shall allow to the Diwan and his relatives out of the income arising from that property and from other sources such sum for their maintenance as it deems just.

# EXCISE.

ACT No. XXII OF 1881.

*(Received the Governor-General's assent on the 26th October, 1881.)*

An Act to amend the law relating to the Excise-revenue in Northern India, British Burma [“] and Coorg.

WHEREAS it is expedient to amend the law in force in Northern India, British Burma [“] and Coorg relating to the production, sale, possession and import of spirit, fermented liquors, and intoxicating drugs, and the collection of the revenue derived therefrom ; It is hereby enacted as follows:—

Preamble.

## CHAPTER 1.

### PRELIMINARY.

1. This Act may be called the Excise Act, 1881.

Short title.

It extends to the territories administered respectively by the Lieutenant-Governors of the North-Western Provinces and the Punjab and the Chief Commissioners of Oudh, the Central Provinces, British Burma, [“] Coorg, and Ajmere and Merwara ; and

Local extent.

It shall come into force on the first day of January, 1882.

Commencement.

X of 1871.

2. On and from that day the Excise Act, 1871, shall be repealed, but all rules made, powers conferred, and licenses and farms granted under that Act and in force on the same day shall be deemed to have been respectively made, conferred and granted under this Act.

Repeal of Act X of 1871.

3. In this Act—

Interpretation-clause.

(a) “ Chief Revenue-authority ” means—

in the territories administered by the Lieutenant-Governor of the North-

---

[a] These references to British Burma should now be read as referring to Lower Burma—see Act XX of 1886, s. 4, in Burma Code, Ed. 1889, p. 361. The Chief Commissioner is now Chief Commissioner of Burma—see Proclamation of 25th September, 1886, in *Gazette of India*, 1886, Pt. I, p. 539.

## Excise.]

Western Provinces [<sup>a</sup>] and the Chief Commissioner of Oudh [<sup>a</sup> ]—the Board of Revenue;

[<sup>b</sup>] in the territories respectively administered by the Lieutenant-Governor of the Punjab and the Chief Commissioner of Burma [<sup>b</sup> ]—the Financial Commissioner; and

in the territories respectively administered by the Chief Commissioners of [<sup>c</sup>] the Central Provinces, [<sup>d</sup>] Coorg and Ajmere and Merwara—the Chief Commissioner :

(b) "Collector" includes any Revenue-officer in independent charge of a district and any officer appointed by the Local Government to discharge, throughout any specified local area, the functions of a Collector under this Act:

"Commissioner of Revenue" means any officer appointed by the Local Government to discharge, throughout any specified local area, the functions of a Commissioner of Revenue under this Act:

(c) "Magistrate" means any Magistrate exercising powers not less than those of a Magistrate of the second class, or any Magistrate of the third class specially authorized in this behalf by the Magistrate of the district:

(d) "place" includes also house, boat and raft:

(e) "tari" means the sap of any kind of palm tree:

(f) "fermented liquor" means malt liquor, wine, pachwai and fermented tari, and, in any provision of this Act, shall, if the Local Government, subject to the control of the Governor-General in Council, so directs, include any other fermented liquor, and also tari though it may not have perceptibly begun to ferment:

(g) "spirit" means any liquor containing alcohol obtained by distillation:

(h) the expression "intoxicating drugs" means ganja, bhang, charas, and every preparation and admixture of the same:

(i) "tola" means a weight of one hundred and eighty grains Troy:

(j) "ser" means a weight of eighty tolas:

(k) the articles next hereinafter mentioned shall be deemed to be sold retail within the meaning of this Act when sold in quantities not exceeding those next hereinafter specified in respect of them, that is to say,—

foreign spirit or foreign fermented liquor, two imperial gallons or twelve reputed quart bottles;

[a a] These words were inserted by Act XX of 1890, s. 43 (1), printed N.-W. P. and Oudh Code, Ed. 1892, p. 715.

[b b] These words were substituted for the original words by Act XVIII. of 1888, s. 7 printed Burma Code, Ed. 1889, p. 76.

[c] The word "Oudh" repealed by Act XX of 1890, s. 43 (1), is omitted.

[d] The words "British Burma," repealed by Act XVIII of 1888, s. 7 are omitted.

## [Excise.

country spirit, one ser, and in Burma<sup>[a]</sup> one reputed quart bottle ;  
country fermented liquor, four sers, and in Burma<sup>[a]</sup> four reputed quart bottles ;

bhang or any preparation or admixture thereof, one quarter of a ser ;  
ganja or charas, or any preparation or admixture thereof, five tolas ;  
If sold in larger quantities, they shall be deemed to be sold wholesale.

In any case in which doubt arises the Local Government may decide what for the purposes of this Act shall be deemed to be "country spirit," "country fermented liquor," "foreign spirit," and "foreign fermented liquor," and such decision shall be binding on the Courts.

4. Nothing herein contained shall affect Act No. XVI of 1863 <sup>II of 1889.</sup> [ <sup>b</sup> ] (*to make special provision for the levy of the Excise-duty payable on spirits used exclusively in Arts and Manufactures or in Chemistry*) or the Cantonments Act, 1889 [ <sup>c</sup> ].

Saving of Acts XVI of 1863 and XIII of 1889.

## CHAPTER II.

## PRODUCTION OF SPIRIT, FERMENTED LIQUOR AND INTOXICATING DRUGS.

5. No person shall construct, work or possess a distillery, still or brewery, or manufacture fermented liquor, in any district, except under a license granted by the Collector or by a person authorised by the Collector to grant such license, and in accordance with the conditions (if any) contained therein.

Manufacture of spirit and liquor without license prohibited.

6. The Collector may, with the previous sanction of the Chief Revenue-authority, from time to time—

Power to establish distilleries for country spirit.

(a) establish at any place within his district a distillery in which country spirit may be made, and discontinue any distillery so established ;

(b) fix limits within his district within which no such spirit, unless made in the said distillery, shall be introduced without a pass from him.

[a] "Burma" was substituted for "British Burma" by Act XVIII of 1888, s. 7, printed, Burma Code, Ed. 1889, p. 76.

[b] Printed, General Acts, 1834-66, Ed. 1887, p. 382.

[c] The reference to Act III of 1880 is altered in accordance with Act XIII of 1889, s. 2(3).



## Excise.]

7. No spirit shall be removed from any distillery licensed under section 5 or established under section 6 until—

[<sup>a</sup>] (a) such duty as the Local Government may from time to time fix in respect of such spirit has been paid, or

(b) a bond for such duty has been executed, or

(c) a duty in respect of the materials used in making such spirit has been levied at such rates and in such manner as the Local Government with the previous sanction of the Governor-General in Council, may from time to time direct.

[<sup>b</sup>] *Explanation.*—Duty may be fixed or made payable under this section at different rates according to the places to which any spirit is to be removed for consumption.

[<sup>c</sup>] 7A. No fermented liquor shall be removed from a brewery licensed under section 5 until— VIII  
1894

(a) duty has been paid thereon at the rate for the time being leviable under the Indian Tariff Act, 1894, [<sup>a</sup>] on like liquor imported by sea into any part of British India except Aden and Perim, or at such lower rate as the Local Government, having regard to the circumstances of the brewery or of the local area in which the brewery is situate, may from time to time prescribe, or

(b) a bond for such duty has been executed.

[<sup>e</sup>] 8. The Chief Revenue-authority may, from time to time make rules as to—

(a) the granting of licenses for distilleries, stills and breweries under section 5;

(b) the notices to be given by the proprietor of a licensed distillery or licensed brewery when he commences and discontinues work;

(c) the size and description of the stills in such distillery;

(d) the storing and passing out of the spirit made in such distillery, or of the fermented liquor made in such brewery, and the contents of the passes;

[a] This clause was substituted for the original cl. (a) by Act IX of 1885, s. 2. The duty fixed before the 29th May, 1885, under s. 6 of the Indian Tariff Act, XI of 1882, is to be deemed to be the duty fixed by the Local Government under s. 7 of Act XXII of 1881—see Act IX of 1885, s. 4, in General Acts, 1885-88, Ed. 1889, p. 5.

[b] This *Explanation* was added by Act X of 1893, s. 1.

[c] S. 7A was inserted by Act XIII of 1890, s. 2.

[d] The reference to Act XI of 1882 is altered in accordance with Act VIII of 1894 s. 2 (3).

[e] This section was substituted for the original s. 8 by Act XIII of 1890, s. 3.

[Excise.

(e) the inspection and examination of such distillery or brewery and the warehouses connected therewith, and of the spirit or fermented liquor made and stored therein;

(f) the furnishing of statements of the spirits and the stills, coppers, casks and other utensils in such distillery, or of the fermented liquor and the mashtuns, underbacks, wort-receivers, coppers, heating tanks, coolers, and collecting, fermenting and other vessels in such brewery.

9. The Chief Revenue-authority may, from time to time, make rules as to—

and for distilleries established under section 6.

(a) the management of distilleries established under section 6, and in particular as to the conditions on which any materials to be used in making spirit may be brought into such distillery;

(b) the conditions on which spirit may be made in such distilleries; and

(c) the storing and passing out of the spirit so made, and the contents of the passes.

10. Except in the territories respectively administered by the Chief Commissioners of [ " ] the Central Provinces, [ " ] Coorg and Ajmere and Merwara, the sanction of the Local Government is required to validate rules under sections 8 and 9.

Sanction to rules under sections 8 and 9.

11. In Burma[ " ] the cultivation of hemp and the preparation of intoxicating drugs therefrom are prohibited except under, and in accordance with, a license granted by such officer as the Chief Commissioner may from time to time appoint in this behalf.

Production of intoxicating drugs.

In the other territories to which this Act extends, the Chief Revenue-authority may, from time to time, make such rules to restrict and regulate the cultivation of hemp and the preparation of intoxicating drugs therefrom as it may deem necessary to secure the duty leviable in respect of those drugs.

### CHAPTER III.

#### SALE OF SPIRIT, FERMENTED LIQUOR AND INTOXICATING DRUGS.

12. No spirit, fermented liquor or intoxicating drug shall be sold except

Spirit, fermented

[a] The word "Oudh," repealed by Act XX of 1890, s. 43 (2), is omitted.

[b] The words "British Burma," repealed by Act XVIII of 1888, s. 7, (printed, Burma Code, Ed. 1889,) p. 76 are omitted.

[c] "Burma" was substituted for "British Burma" by Act XVIII of 1888, s. 7.

## Excise.]

under, and in accordance with the terms of, a license granted under the provisions hereinafter contained:—

Provided as follows:

- (a) nothing in this section applies to the sale of any foreign spirit or foreign fermented liquor legally procured by any person for his private use and sold by him or by auction on his behalf or on behalf of his representatives in interest upon his quitting a station or after his decease;
- (b) any officer empowered in this behalf by the Chief Revenue-authority may grant to travelling merchants, subject to such rules and restrictions as such authority may from time to time prescribe, a general license authorizing them to sell foreign spirit and foreign fermented liquor wholesale in any district which they may visit in the course of their travels, without taking out a fresh license for that district ; .
- (c) any person making or producing country spirit or country fermented liquor, in accordance with the provisions of this Act, may, subject to any rules from time to time made by the Local Government in this behalf, sell such spirit or liquor to any person licensed under this Act as a retail vendor of such spirit or liquor;
- (d) any cultivator of the hemp plant may sell any intoxicating drug prepared from his plants to any person licensed under this Act to sell the same, or to any person authorized to purchase the same by the Collector's order in writing.

13. Subject to the rules made by the [ <sup>a</sup> ] Chief Revenue-authority [ <sup>a</sup> ] under the power hereinafter conferred, the Collector may grant licenses for the sale of foreign spirit and foreign fermented liquor, wholesale or retail, and for the retail sale of country spirit or country fermented liquor, and (except in Burma [ <sup>b</sup> ]) of intoxicating drugs, within his district or any part thereof or at any place therein.

Licenses for the sale of country spirit and country fermented liquor and intoxicating drugs, wholesale, and licenses for the sale, in Burma [ <sup>b</sup> ] of intoxicating drugs, retail, shall be granted only by such officer as the Local Government from time to time appoints in this behalf.

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<sup>a a</sup> These words were substituted for the original words by Act XII of 1891.

[<sup>b</sup>] "Burma" was substituted for "British Burma" by Act XVIII of 1888, s. 7. printed, Burma Code, Ed. 1889, p. 76.

## [Excise.]

Any license granted under this section may be cancelled by the Collector for any cause specified therein.

Power to cancel license for cause specified therein.  
Power to cancel license for other causes.

14. Whenever the Collector considers that the license of a vendor of country spirit, country fermented liquor or intoxicating drugs should be cancelled for any cause other than those specified in such license, he shall remit a sum equal to the amount of the license-fee for fifteen days, and shall either give fifteen days' previous notice of his intention to cancel the license, or shall, in addition to remitting such sum as aforesaid, make such compensation for default of notice as the Commissioner of Revenue or Chief Revenue-authority directs.

On the expiration of such notice or the payment of such additional compensation, the Collector may cancel the said license.

15. Any retail vendor licensed under this Act may surrender his license on the expiration of one month's previous notice given by him to the Collector of his intention to surrender the same, and on payment of such sum, not exceeding the amount of the license-fee for six months, as the Collector may fix in this behalf.

Surrender of retail license.

If the Collector is satisfied that there is a sufficient reason for surrendering a license, he may remit the sum so fixed.

16. The Collector may, with the sanction of the Chief Revenue-authority, let in farm—

Power to farm fees.

- (a) the fees leviable in any district or part of a district on licenses for the retail sale of any description of country spirit or country fermented liquor or (except in Burma [“ ”]) of intoxicating drugs :
- (b) the right to manufacture, in any district or part of a district in which no distillery is established under section 6, country spirit or country fermented liquor.

When the fees so leviable or the right to manufacture such spirit or liquor, or both, are or is let in farm, the farmer may, subject to such reservations or restrictions as the Collector with the sanction of the Chief Revenue-authority, may from time to time make or impose, grant licenses for the retail sale, or for the manufacture, or for both, as the case may be, of such articles within the local limits of his farm, and shall file in the Collector's office a list of all the licenses granted by him in such form and on such day

Farmer to grant licenses.

List of licenses granted by farmer to be filed.

[a] “Burma” was substituted for “British Burma” by Act XVIII of 1888, s. 7, printed, Burma Code, Ed. 1889, p. 76.

or days in each year as the Chief Revenue-authority may, from time to time, prescribe in this behalf.

be 17. The Collector may, with the sanction of the Chief Revenue-authority, cancel any farm granted under this Act.

18. If any such farm be cancelled for any cause other than a breach on the part of the farmer of the conditions of the farm, or if any reservation or restriction with respect to the grant of licenses be made or imposed within the term of the farm, the farmer shall be entitled to receive for any loss which he sustains thereby such compensation as the Chief Revenue-authority may determine.

f 19. Every farmer under this Act may use the same means and processes for the recovery of any arrear of fees due to him from any retail vendor as may be lawfully used by the local landholders for the recovery of arrears of rent due to them from their tenants.

y 20. The Chief Revenue-authority may, from time to time, make rules to regulate the mode in which tari shall be supplied to licensed vendors of the same, and the grant of licenses or passes to persons possessing or transporting intoxicating drugs for the supply of the licensed vendors of such drugs.

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## CHAPTER IV.

### POSSESSION OF SPIRIT, FERMENTED LIQUOR AND INTOXICATING DRUGS.

21. No person shall have in his possession any quantity of any spirit or fermented liquor larger than that specified in section 3, clause (k), in respect of such spirit or liquor, unless he is permitted to manufacture or sell the same, or he holds a pass therefor from the Collector or from some other officer empowered by the Local Government to grant such passes.

Nothing in this section extends to—

(a) any foreign spirit or foreign fermented liquor in the possession of any common carrier or warehouseman as such, or purchased by any person for his private use and not for sale, or

(b) tari intended to be used for the manufacture of gur or molasses.

22. In Burma<sup>[a]</sup> no person shall have in his possession any intoxicating drugs except under, and in accordance with the terms of, a general ex-

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[a] "Burma" was substituted for "British Burma" by Act XVIII of 1888, s. 7, printed, Burma Code, Ed. 1889, p. 76.

[Excise.

emption granted by the Chief Commissioner, or a license granted by such officer as the Chief Commissioner may, from time to time, appoint in this behalf.

In the other territories to which this Act extends, no person shall have in his possession any larger quantity of such drugs than that specified in section 3, clause (k), in respect of such drugs, unless he is permitted to manufacture or sell the same.

## CHAPTER V.

### [<sup>a</sup>] IMPORT OF SPIRIT, FERMENTED LIQUOR AND INTOXICATING DRUGS.[<sup>a</sup>]

[<sup>b</sup>] 23. (1) A person shall not bring into any territory to which this Act extends any spirit manufactured at any place in India beyond the limits of British India, until he has obtained a pass therefor from such officer as the Local Government from time to time appoints in this behalf, and has paid in respect thereof—

Spirit and fermented liquor from foreign territory subject to duty.

(a) if the Local Government has fixed a duty under clause (a) of section 7 for like spirit manufactured in the part of the territory into which the spirit is to be brought, that duty, or

(b) if the Local Government has not fixed a duty under that clause for like spirit manufactured in that part, a duty at such rate as the Local Government from time to time prescribes in this behalf, not exceeding the highest rate leviable, under the law for the time being in force, on spirit imported into British India by sea.

(2) The provisions of sub-section (1) with respect to spirit shall apply to fermented liquor also, with this modification, that the duty to be paid in respect of the liquor shall be the duty leviable on like liquor under the Indian Tariff Act, 1894[<sup>c</sup>], [<sup>d</sup>] or such lower duty as the Local Government, having regard to the rate or rates of duty for the time being leviable under clause (a) of section 7A, may from time to time prescribe.[<sup>d</sup>]

(3) If any question arises as to the duty to be charged on any spirit or fermented liquor under this section, the decision of the Local Government thereon shall be final.

[<sup>a</sup> <sup>a</sup>] Substituted by Act X of 1893, s. 3.

[<sup>b</sup>] This section was substituted for the original s. 23 by Act II of 1887, s. 5, printed, General Acts, 1885-88, Ed 1889, p. 120.

[<sup>c</sup>] Since repealed by the Tariff Act No. VIII of 1894. The reference to Act XI of 1882 is altered in accordance with Act VIII of 1894, section 2 (3).

[<sup>d</sup> <sup>d</sup>] These words, etc., were added by Act XIII of 1890, s. 4.

## Excise.]

[<sup>a</sup>] 23A. The Governor-General in Council may from time to time, by notification in the *Gazette of India*, impose such duty as he thinks fit on any spirit or fermented liquor or intoxicating drug brought by land from beyond the limits of India into any territory to which this Act extends or into any specified part thereof, and may alter or abolish any duty so imposed.

## CHAPTER VI.

## OFFICERS AND THEIR POWERS.

24. The Collector may appoint persons, by name or by virtue of their office, to be officers for the collection of the excise-revenue and for the prevention of offences against this Act; and the officers so appointed shall, in addition to their ordinary designations (if any), be styled Excise-officers.

25. The Collector may recover any amount due to the Government under this Act or the rules made hereunder, by distress and sale of the moveable property of the person from whom such amount is due or of his surety, or by any other process for the time being in force for the recovery of arrears of land-revenue due from landholders or from farmers of land or their sureties.

26. Any Excise-officer may enter and inspect at any time by day or by night the shop or premises in which any manufacturer or vendor licensed under this Act carries on the manufacture of country spirit, or the sale of country spirit, country fermented liquor or intoxicating drugs.

27. Any Excise-officer may stop and detain any person carrying any spirit, fermented liquor or intoxicating drug liable to confiscation under this Act ;

and may seize such spirit, liquor or drug, together with any vessels, packages or coverings in which it is contained, and any animals and conveyances used in carrying it ;

and may also arrest the person in whose possession such spirit, liquor or drug is found.

28. Any Excise-officer in the receipt of a monthly salary of not less than ten rupees [<sup>b</sup>] or who receives an annual remuneration equivalent to such salary [<sup>b</sup>] may arrest any person having in his possession any article liable to confiscation under this Act, or engaged in the unlawful sale of any spirit, fermented liquor or intoxicating drug, and may seize such article, spirit, liquor or drug.

[a] S. 23A was inserted by Act X 1893, s. 2.

[b b] These words were inserted by Act VI of 1885, s. 1.

## [Excise.

29. Whenever any Excise-officer in receipt of such monthly salary [ <sup>a</sup> ] or annual remuneration [ <sup>a</sup> ] as aforesaid has reason to believe, from information given by any person (which information shall be taken down in writing), that in any place spirit is unlawfully manufactured, or any article liable to confiscation under this Act is kept or concealed,

to search on information of illicit manufacture or possession.

such officer may, after sunrise and before sunset (but always in the presence of an officer of police in the receipt of a monthly salary of not less than ten rupees, [ <sup>b</sup> ] unless the Excise-officer is himself such an officer of police [ <sup>b</sup> ], enter into such place,

and in case of resistance may break open any door and force and remove any other obstacle to such entry, and may seize and carry away such spirit or article,

and may also arrest the occupier of the place, with all other persons concerned in the manufacture of such spirit or in the keeping and concealing of such article.

30. The Collector may issue his warrant for the arrest of any person whom he has reason to believe, either from information in writing, or from the proceedings in any other case under this Act or any other law, to be engaged in the unlawful sale of spirit or fermented liquor or intoxicating drugs, or to have in his possession any article liable to confiscation under this Act.

Collector may issue warrant of arrest in certain cases.

31. The Collector may issue his warrant for the search of any place in which he has reason to believe, either from information in writing, or from the proceedings in any other case under this Act or any other law, that spirit is unlawfully manufactured, or that any spirit, fermented liquor or intoxicating drug liable to confiscation under this Act is kept or concealed.

Collector may issue search-warrant.

Such warrant may be executed by any Excise-officer in the receipt of a monthly salary of not less than ten rupees, at the time and in the manner prescribed in section 29.

Whenever the Collector thinks that the search should be made after sunset and before sunrise on any particular day, he shall issue a warrant specially authorizing the search to be so made. Such warrant may be executed by any Excise-officer as aforesaid in the manner prescribed in section 29, and shall cease to be in force at sunrise on the day next following.

Special warrant authorizing search at night.

32. Whenever an Excise-officer arrests any person, or seizes any article liable to confiscation under this Act,

Excise-officer to report arrest, etc.;

or enters any place for the purpose of searching for any such article

[<sup>a</sup> <sup>a</sup>, <sup>b</sup> <sup>b</sup>] These words were inserted by Act VI of 1885, s. 2.



## Excise.]

he shall, within twenty-four hours thereafter, make a full report of all the particulars of such arrest, seizure or search, to his official superior, and, unless acting under the warrant of the Collector, shall take the person arrested, or the article seized, with all convenient despatch to the Magistrate for trial or adjudication.

33. Whenever any person is arrested or any article is seized under the warrant of a Collector issued under this Act, the officer making such arrest or seizure shall, within twenty-four hours thereafter, take the person arrested or the article seized to the Collector, and the Collector, after such enquiry as he thinks necessary, shall send such person or article to the nearest Magistrate, or shall order the immediate discharge of such person or the release of such article.

34. All Police-officers are required to aid the Excise-officers in the due execution of this Act, upon request made by such officers.

[<sup>a</sup>] 34A. The Local Government may, from time to time, invest either by name or in virtue of his office—

(a) any Police-officer with the powers conferred on Excise-officers by section 27 of this Act;

(b) any Police-officer in charge of a station or any Police-officer of or above the grade of head-constable or sergeant with the powers conferred on Excise-officers by sections 28 and 29 of this Act.

Every officer so invested shall, for all purposes connected with the exercise of these powers, be deemed to be an Excise-officer within the meaning of this Act.

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## CHAPTER VII.

### PENALTIES.

35. Whoever in contravention of section 5 constructs, works or possesses a distillery, still or brewery, or makes fermented liquor, shall be punished with imprisonment for a term which may extend to four months, or with fine which may extend to one thousand rupees, or with both;

and all spirit and liquor made in contravention of section 5, and all materials and implements collected for the purpose of such manufacture, shall be liable to confiscation.

36. Any person who—

(a) without a special pass from the Collector, introduces, into the limits

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[a] S. 34A was inserted by Act VI of 1885, s. 3.

## [Excise.]

fixed for the consumption of spirit made at a distillery established under section 6, any country spirit manufactured at another place, or

introducing country spirit.

(b) in contravention of section 7 [ <sup>a</sup> ] or section 7A [ <sup>a</sup> ], or of any rule made under section 8 or section 9, removes any spirit from a distillery [ <sup>b</sup> ] or any fermented liquor from a brewery [ <sup>b</sup> ], or

For illegally removing spirit or fermented liquor.

(c) in contravention of section 23, brings any spirit [ <sup>c</sup> ] or fermented liquor [ <sup>c</sup> ] into any territory to which this Act extends, or [ <sup>d</sup> ]

For illegally importing spirit or fermented liquor.

[ <sup>e</sup> ] (d) without payment of such duty (if any) as may for the time being be payable in pursuance of a notification under section 23A, brings any spirit or fermented liquor or intoxicating drug into any territory to which this Act extends,

For importing spirit, fermented liquor or intoxicating drug without paying duty.

shall be punished with imprisonment for a term which may extend to four months, or with fine which may extend to one thousand rupees, or with both ;

and the spirit, [ <sup>f</sup> ] or fermented liquor, [ <sup>f</sup> ] [ <sup>g</sup> ] or intoxicating drug, [ <sup>g</sup> ] together with the vessels containing the same, and any animals and conveyances used in carrying it, shall be liable to confiscation.

37. Any person who, except in cases herein otherwise provided for, wilfully contravenes any rule made under section 8 or section 9 shall be punished with fine not exceeding one hundred rupees.

For contravening rules prescribed by Chief Revenue-authority.

38. Any person who, in contravention of section 11 or of any rule made thereunder, cultivates hemp or prepares any intoxicating drug, shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

For illegally cultivating hemp and preparing drugs.

39. Any person who, in contravention of section 12, sells any spirit, fermented liquor, or intoxicating drug, shall be punished with imprisonment for a term which may extend to four months, or with a fine which may extend to one thousand rupees, or with both.

For illicit sale of spirit, etc.

40. Any person licensed to sell retail spirit, or fermented liquor, or intoxicating drugs, who permits drunkenness, riot or gaming in his shop, or permits persons of notoriously bad character to meet or remain therein, or receives any

For permitting drunkenness, etc., shop.

[a a, b b] These words, etc., were inserted by Act XIII of 1890, s. 5.

[c c] These words were inserted by Act II of 1887, s. 6 (1), printed, General Acts, 1885-88, Ed. 1889, p. 120.

[d] The word "or" was added by Act X of 1893, s. 4 (1).

[e] Cl. (d) was added by Act X of 1893, s. 4 (2).

[f f] These words were inserted by Act II of 1887, s. 6 (2).

[g g] These words were inserted by Act X of 1893, s. 4 (3).

**Excise.]**

wearing-apparel or other effects in barter for spirit, fermented liquor or intoxicating drugs, shall be punished with fine which may extend to two hundred rupees.

41. Any person who possesses any spirit, liquor or drug, in contravention of section 21 or section 22, shall be punished with imprisonment for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both ;

and the spirit, liquor or drug, together with any vessels, packages and coverings in which it is contained, and any animals and conveyances used in carrying it, shall be liable to confiscation.

42. Any person holding a license under this Act and refusing to produce the same on the demand of any Excise-officer, and any person who breaks any rule made under this Act or any condition of a license granted under this Act for the breach of which rule or condition no other penalty is hereby provided, shall be punished with fine which may extend to fifty rupees.

43. Any owner or occupier of land, and any agent of any such owner or occupier, who authorizes or connives at the illegal manufacture of spirit or the sale of spirit or fermented liquor or intoxicating drugs shall for every such offence be punished with imprisonment for a term which may extend to four months, or with fine which may extend to one thousand rupees, or with both.

And any person invested with local jurisdiction who authorizes or connives at the illegal sale of any spirit, fermented liquor or intoxicating drug within the local limits of such jurisdiction shall be punished with fine which may extend to five hundred rupees.

44. Any Police-officer who, without lawful excuse, neglects or refuses to aid an Excise-officer as required by section 34, and any officer in charge of a police-station who, on application made by an Excise-officer desiring to act under section 29, fails to attend a search himself, or to depute a subordinate officer of the required rank, shall be punished with fine which may extend to five hundred rupees.

45. Any Excise-officer who—

(a) without reasonable grounds of suspicion searches or causes to be searched any place, or

(b) vexatiously and unnecessarily seizes the movable property of any person on the pretence of seizing or searching for any article liable to confiscation under this Act, or

(c) vexatiously and unnecessarily arrests any person, or

[Excise.

(d) commits any other excess not required for the execution of his duty,

shall be punished with imprisonment for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both.

46. Any Excise-officer who, in contravention of section 32 or section 33, neglects to report the particulars of an arrest, seizure or search, or delays taking to the Magistrate or Collector, as the case may be, any person arrested or any article seized under this Act, shall be punished with fine which may extend to two hundred rupees.

For delay in reporting arrest, etc., or in taking person arrested to Magistrate.

[<sup>a</sup>] 47. A Court shall not take cognizance of an offence punishable under any one of the following sections, namely, 35, 36, 37, 38, 39, 41, 42 and 43, except on the complaint or report of the Collector or an Excise-officer; and a Court shall not take cognizance of any offence punishable under this Act unless the prosecution is instituted before the expiry of six months next after the commission of such offence.

Prosecutions restricted.

48. Every person imprisoned for an offence under section 37 or section 42 shall be confined in the civil jail, and every person imprisoned for an offence under any other section shall be confined in the criminal jail.

Confinement in what jail.

<sup>XLV of 1860.</sup> 49. Whoever attempts to commit any offence punishable under this Act, or abets, within the meaning of the Indian Penal Code[<sup>b</sup>], the commission of any such offence, shall be punished with the punishment provided for such offence.

Attempts and abetments.

50. Any Magistrate before whom any person is convicted of any offence under sections 35, 36, 37, 38, 39, 41 or 43 may award to any person who has contributed in any way to such conviction the whole or any portion of any fine imposed upon the offender and paid by him or realized from his property.

Disposal of fines, etc., as rewards.

51. Any article liable to confiscation under this Act may, on the application of an Excise-officer, be confiscated by the order of any Magistrate within the local limits of whose jurisdiction it is found.

Magistrate to pass order of confiscation.

[<sup>a</sup>] This section was substituted for the original s. 47 by Act VI of 1885, s. 4.

[<sup>b</sup>] See Act XLV of 1860, Ch. V. (For Act XLV of 1860, see the revised edition, as modified up to 1st August 1890, published by the Legislative Department.)

Excise.]

## CHAPTER VIII. MILITARY CANTONMENTS.

52. Within the limits of any military cantonment, and within such distance from those limits as the Local Government in any case prescribes, no licenses for the manufacture of spirit, or for the sale of spirit or fermented liquor, shall be granted, nor shall the fees leviable on licenses for the retail sale of such spirit or liquor, or the right to manufacture such spirit or liquor, be let in farm, unless with the knowledge and consent of the Commanding Officer; and upon his requisition any such license which has been granted either by the Collector or by a farmer, within such distance or limits shall be immediately cancelled.

53. In all other respects the provisions of this Act shall have effect within such limits or distance.[<sup>a</sup>]

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## CHAPTER IX. MISCELLANEOUS.

54. The Collector shall in all proceedings under this Act be subject to the control of the Commissioner of Revenue, and all orders passed by a Collector under this Act shall be appealable to such Commissioner in manner provided by the rules for the time being in force relating to appeals from the orders of Collectors.

The Chief Revenue-authority may revise any order passed by a Collector under this Act or by a Commissioner under this section.

55. The [<sup>b</sup>]Chief Revenue-authority [<sup>b</sup>] may, from time to time, make rules consistent with this Act—

- (a) as to the period for which any license or farm under this Act shall be granted ;
- (b) as to the fee payable for any such license or farm, and the time or times at which it shall be payable ;
- (c) as to the security to be given by any licensee or farmer under this Act ;
- (d) as to the form of any license or farming lease and of the counterpart thereof (if any) to be taken from such licensee or farmer, and the conditions which may be inserted therein ;

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[<sup>a</sup>] The proviso, repealed by Act XIII of 1889, is omitted.

[<sup>b</sup> b] These words were substituted for the original words by Act XII of 1891.

[Excise.

- (e) as to the disposal of things confiscated under this Act ;
- (f) as to the duties of Excise-officers ; and
- (g) to provide generally for carrying out the provisions of this Act.

56. The Local Government may from time to time, by notification in the Official *Gazette*, exempt within any specified local area any specified articles or any specified class of persons from all or any of the foregoing provisions of this Act, and may, by like notification, cancel any such exemption.

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Power to  
exempt arti-  
cles and  
persons.

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[Excise.

No. 1161-136 II [ <sup>a</sup> ] *The 23rd October, 1885.*

In exercise of the powers conferred on him by Clause (b) Section 3, Act XXII of 1881 (The Excise Act), the Chief Commissioner of Ajmere-Merwara is pleased to appoint the Commissioner of Ajmere-Merwara to discharge the functions of a Commissioner, and the Assistant Commissioner of Ajmere to discharge the functions of Collector under the said Act throughout the District of Ajmere-Merwara.



Excise.]

## LIQUOR.

### DISTILLATION BY TAZIMI ISTIMRARDARS.

Conditions imposed by the Chief Commissioner of Ajmere and Merwara (*vide* his letters, Nos.  $\frac{242 \text{ C.}}{136\text{--II}}$  and  $\frac{212}{136\text{--III}}$ , dated 30th December 1885 and 6th March 1886, respectively) in connection with the privilege enjoyed by the Tazimi Istimrardars of the Ajmere District of distilling liquor for their own consumption on their own premises.

1. That each Istimrardar shall pledge himself to manufacture liquor only for his own consumption on his own premises.

2. That he shall submit to the Collector an estimate of the annual quantity of liquor required for his own consumption, and pledge himself not to manufacture any greater quantity than may be fixed by the Collector.

3. That he shall not bring any liquor to Ajmere except under a pass which will be granted free of charge by the Collector.

4. That he shall render all the assistance in his power to Excise-officers in the execution of their duty.

5. That all liquor shall be manufactured in some convenient place outside the Thakur's residence, which shall always be open to inspection by the superior officers of the Preventive Establishment.

6. That all indents for mohwa flowers and molasses required by the Istimrardar for the purpose of the manufacture shall be submitted to the Collector for information.

7. That any Istimrardar found infringing any of these conditions will render himself liable to the withdrawal of the privilege.

[Excise.]

ORDERS BY THE CHIEF COMMISSIONER  
OF AJMERE-MERWARA.

## NOTIFICATION.

No.  $\frac{465}{136-III}$  OF 1886. [a]*Dated Abu, 28th June, 1886.*

Under the authority vested in the Local Government by Section 56, Act XXII of 1881 (Excise), the Chief Commissioner of Ajmere-Merwara is pleased to exempt the District of Ajmere-Merwara from the limit to the retail vend of country spirits laid down by clause (k), Section 3 of the Act for such period as the right of manufacture and vend is leased to the same person under the system known as the farming system.

The Chief Commissioner is further pleased to direct that under clause (d), Section 55 of the Act, in all licenses for the manufacture and vend of country spirits granted under the farming system the limit of retail vend shall be one gallon instead of one seer.

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[a] *Gazette of India*, Part II, for 1886, page 404.

Excise.]

## APPENDIX B.—FORM I.

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## LICENSE FOR THE WHOLESALE VEND OF FOREIGN SPIRIT AND FOREIGN FERMENTED LIQUOR.

Register No. \_\_\_\_\_

Name of Vendor \_\_\_\_\_

Locality of Vend \_\_\_\_\_

License is hereby granted to \_\_\_\_\_  
to sell foreign spirit exceeding in strength 15° Under Proof, if manufactured in India, as defined in rule 8, and foreign spirit either above or below that strength if the Collector is satisfied that it has been manufactured and bottled in Europe, and foreign fermented liquor by wholesale in his shop situated in \_\_\_\_\_ in the District of Ajmere-Merwara, for the period from \_\_\_\_\_ to \_\_\_\_\_

This license is granted subject to the following conditions :—

1st.—That he pay to Government in advance an annual fee of Rs. 32.

2nd.—That he shall not have in his shop, specified in this license, or sell liquor or spirit of any kind or of any strength which he is not authorized to sell by this license, and that he shall allow any liquor or spirit in his shop to be tested at any time by any Excise-officer acting under the special or general authority of the Collector. The strength of spirit shall for the purposes of this license be tested by a Sykes' hydrometer only.

3rd.—That he do not sell, without taking out a license for retail vend, any one kind of foreign spirit or of foreign fermented liquor in a less quantity than two imperial gallons or twelve quart bottles.

4th.—That he do not sell fermented liquor or spirit of any kind, or in any quantity, within the limits of any military Cantonment, except with the sanction of the Commanding Officer.

5th.—That he do not sell any spirit or fermented liquor to any European private soldier, whether with his regiment or not, or to any camp follower, except with the express permission of the Officer Commanding the regiment or detachment, to which such soldier or camp follower may belong.

[Excise.]

6th.—That he constantly exhibit at his shop a signboard inscribed with his name and with the words “Licensed to sell foreign spirit and foreign fermented liquor by wholesale.”

7th.—That he furnish to the Collector of Ajmere monthly returns of the quantity of spirits and liquor sold by him under this license, and all other returns that the said Collector in pursuance of any rules made under Act XXII of 1881 may from time to time demand.

8th.—For the purposes of this license foreign spirit includes any spirit manufactured in India according to the English method : provided (1) that such spirit is of greater strength than 15° U. P. and (2) that excise duty has been paid on it under clause (a) of Section 7 of Act XXII of 1881 as amended by Act IX of 1885 (Section 2).

9th.—The breach of any of the foregoing conditions shall render the licensee liable to forfeiture of license in addition to the penalties prescribed by the provisions of Act XXII of 1881.

AJMERE:

\_\_\_\_\_189 . }

Collector.

Excise.]

## APPENDIX B.—FORM II.

—————

LICENSE FOR THE RETAIL VEND OF FOREIGN SPIRIT  
AND FOREIGN FERMENTED LIQUOR.

Register No. \_\_\_\_\_

Name of Vendor \_\_\_\_\_

Locality of Vend \_\_\_\_\_

License is hereby granted to \_\_\_\_\_ to sell foreign spirit exceeding in strength 15° Under Proof, if manufactured in India, as defined in Rule 13, and foreign spirit above or below that strength if the Collector is satisfied that it has been manufactured and bottled in Europe, and foreign fermented liquor by retail in his shop situated in \_\_\_\_\_ in the District of Ajmere-Merwara for the period from \_\_\_\_\_ to \_\_\_\_\_

This license is granted subject to the following conditions :—

1st.—That he pay to Government, in advance for every month of the term for which this license is granted, a fee of Rs. 16.

2nd.—That he shall not have in his shop, specified in this license, or sell liquor or spirit of any kind or of any strength which he is not authorised to sell by this license, and that he shall allow any liquor or spirit in his shop to be tested at any time by any Excise Officer acting under the special or general authority of the Collector. The strength of spirit shall, for the purposes of this license, be tested by a Sykes' hydrometer alone.

3rd.—That he effects his sales of spirit and liquor only in the shop for which this license is granted, and in no other place except under a separate license signed by the Collector.

4th.—That he do not sell any greater quantity of any spirit or liquor than two imperial gallons or twelve reputed quart bottles\* (or any less quantity than one full pint bottle) to any person at one time (and\* that he do not allow any liquor or spirit to be drunk in his shop or on his premises. Nothing in this clause shall prevent respectable Europeans and Natives visiting the shop to buy liquor, being allowed to taste samples thereof on the premises, provided that no payment be taken for such samples.

[Excise.]

5th.—That he do not open his shop or sell liquor therein before sunrise or keep it open or effect sales therein after 9-30 P.M. from 1st April 189 to 31st March 189 .

6th.—That he constantly exhibit at the entrance of his shop a signboard bearing his name, and the words “Licensed to sell foreign spirit exceeding in strength 15° Under Proof if manufactured in India, as defined in Rule 13, and foreign spirit either above or below that strength if the Collector is satisfied that it has been manufactured and bottled in Europe, and foreign fermented liquor by retail” (not to be drunk on the premises.)

7th.—That he produce his license and his accounts for inspection on the requisition of any Excise Officer authorised by the Collector to make such requisition.

8th.—That if he also holds a license to sell foreign spirit and foreign fermented liquor by wholesale, the accounts of sale under each license shall be kept separate.

9th.—That he furnish to the Collector monthly returns of the quantity of spirits and liquor sold by him under this license, and all other returns that the said Collector in pursuance of any rules made under Act XXII. of 1881 may from time to time demand.

10th.—That he do not sell any spirit or fermented liquor to any European private soldier, whether with his regiment or not, or to any camp follower except with the express permission of the Officer Commanding the Regiment or Detachment, to which such soldier or camp follower may belong; or to any native if there is reason to believe that he intends to convey the same to European soldiers or their wives, or to European or Eurasian camp followers,

11th.—That on a requisition from the Collector made on account of the proximity of troops, he shall close his shop and keep it closed as long as the Collector may direct.

12th.—That on payment to Government in advance of an additional monthly fee of Rs. 16 he may sell for consumption on the premises foreign spirit being of greater strength than 15° Under Proof, if manufactured in India, as defined in Rule 13, and foreign spirit either above or below that strength if the Collector is satisfied that it has been manufactured and bottled in Europe, and foreign fermented liquor. An endorsement on the license under the hand of the Collector that the additional fee has been paid for a specified month shall be sufficient authority for the purposes of this clause.

## Excise.]

13th.—For the purposes of this license foreign spirit includes any spirit manufactured in India according to the English method; provided (1) that such spirit is of greater strength than 15° Under Proof, and (2) that excise duty has been paid on it under clause (a) of Section 7 of Act XXII of 1881 as amended by Act IX of 1885 (Section 2).

14th.—The breach of any of the foregoing conditions shall render the licensee liable to forfeiture of license in addition to the penalties prescribed by the provisions of Act XXII of 1881.

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- \* The words in brackets in clauses 4 and 6 to be omitted when permission has been granted under clause 12 to sell foreign spirit and foreign fermented liquor to be drunk on the premises.

AJMER:

\_\_\_\_\_ 189

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*Collector.*

[Excise.

## APPENDIX B.—FORM III.

LICENSE FOR THE RETAIL VEND IN HOTELS, DAK  
BUNGALOWS, AND REFRESHMENT ROOMS  
OF FOREIGN SPIRIT AND FOREIGN  
FERMENTED LIQUOR.

Register No. \_\_\_\_\_

Name of Vendor \_\_\_\_\_

Locality of Vend \_\_\_\_\_

License is hereby granted to \_\_\_\_\_  
to sell by retail to be drunk on the premises foreign spirit exceeding in  
strength 15° Under Proof, if manufactured in India, as defined in Rule 8,  
and foreign spirit either above or below that strength if the Collector is  
satisfied that it has been manufactured and bottled in Europe, and Foreign  
fermented liquor at his \_\_\_\_\_ situated  
at \_\_\_\_\_ in the District of Ajmere-Merwara for the  
period from \_\_\_\_\_ to \_\_\_\_\_

This license is granted subject to the following conditions :—

1. That he pay to Government in advance a fee of Rs.
2. That he shall not have in his Hotel, Dak Bungalow, or Refreshment Room, specified in this license, or sell liquor or spirit of any kind or of any strength which he is not authorized to sell by this license, and that he shall allow any liquor or spirit on his premises to be tested at any time by any Excise Officer acting under the special or general authority of the Collector. The strength of spirit shall for the purposes of this license be tested by a Sykes' hydrometer alone.
3. That he effect his sales of spirit and liquor only in the Hotel, Dak Bungalow, or Refreshment Room, for which this license is granted, and in no other place, except under a separate license signed by the Collector.
4. That unless he has also a license for wholesale or for retail vend or for both, all spirits or liquor sold by him shall be drunk on the premises.



**Excise.]**

5. That he produce his license and accounts for inspection on the requisition of any person authorized by the Collector to make such requisition, and shall allow any Excise Officer to enter and inspect his premises at any hour of the day or night.

6. That he furnish to the Collector monthly returns of the quantities of liquor sold by him under this license, and all other returns that the Collector, in pursuance of any rule made under Act XXII of 1881, made from time to time demand.

7. That he sell no spirit or fermented liquor to any European private soldier, except with the express permission of the Officer Commanding the Regiment or Detachment to which such soldier may belong, provided, only that soldiers and their families travelling alone and in small parties not under the command of an officer will on application at 2nd Class Refreshment Rooms, and provided the men are in uniform and sober, be supplied on payment with refreshment to the extent only of one pint of beer for each man or woman.

8. For the purposes of this license foreign spirit includes any spirit manufactured in India according to the English method : provided (1) that such spirit is of greater strength than 15° Under Proof, and (2) that excise duty has been paid on it under clause (a) of Section 7 of Act XXII of 1881 as amended by Act IX of 1885 (Section 2.)

9. The breach of any of the conditions of this license shall render the licensee liable to forfeiture of license in addition to the penalties prescribed by the provisions of Act XXII of 1881.

AJMER :

189

*Collector.*

[Excise.]

LICENSE GRANTING THE EXCLUSIVE PRIVILEGE OF  
MANUFACTURING AND SELLING COUNTRY SPIRIT  
NOT EXCEEDING IN STRENGTH 15° UNDER  
PROOF AND OF EXTRACTING AND  
SELLING TODDY.

LICENSE is hereby given to \_\_\_\_\_

\_\_\_\_\_ (hereinafter called the Licensee) under and subject to the provisions of the Excise Act, No. XXII of 1881, authorizing him to the exclusion of all other persons (with the exception of certain Istimrardars, who are specially privileged to manufacture spirit for their own use only, and for that of persons eating with them), to manufacture and sell country spirit of strength not exceeding 15° Under Proof, and to manufacture and sell toddy in the Ajmere-Merwara Districts, including Nasirabad, Ajmere and Deoli Cantonments (which said Districts and Cantonments are hereafter called "the Licensee's District") for and during the term of \_\_\_\_\_ and subject to the conditions hereinafter mentioned :—

1. The licensee shall Guarantee to Government in return for the privilege herein conferred the payment of a minimum annual revenue noted in the margin.

2. The licensee shall obey and carry out any rule or order which may be prescribed or issued from time to time by competent authority under the Abkari Law for the time being in force.

3. The licensee shall in addition to the amount specified in clause 1 above, contribute monthly a sum of Rs. \_\_\_\_\_ for the maintenance of a Preventive Establishment.

4. The licensee shall deposit with the Collector, on or before such date as the Collector shall direct, a sum of Rs. \_\_\_\_\_ (Rupees \_\_\_\_\_ including the amount of earnest deposit), either in cash or in Government securities, by way of security for the due fulfilment by him of the conditions of this license, and the buildings hereinafter denominated the Distilleries, which will be taken over under the terms of this license by the licensee, will also be held by the Government as an additional Guarantee for the due

**Exoise.]**

performance of the said conditions. On the expiration of the term of this license the sum so deposited, or such portion thereof as shall then remain unappropriated under clause 34 of this license shall be repaid to the licensee without interest.

5. The privilege hereby granted of manufacturing and selling country spirit of strength not exceeding 15° Under Proof shall not include or extend to the manufacture or sale of country spirit exceeding in strength 15° Under Proof or to the sale of European wines or spirits or beer.

6. The licensee shall begin to manufacture and sell toddy and to manufacture and sell spirit subject to the conditions of this license on the 1st April 189 . The exclusive privilege of manufacturing spirit granted to the licensee shall cease and determine on the \_\_\_\_\_ 189 , and the exclusive privilege of selling spirit and toddy shall cease and determine on the \_\_\_\_\_ 189 .

7. The licensee shall take over from the present farmer the existing Distillery buildings and fittings enumerated in the annexed schedule, and also all vessels of brass and copper not enumerated in the schedule, and shall pay to the Collector within 15 days of the acceptance of his tender the sum of Rs. \_\_\_\_\_ on account of the same. When the term of the farm ceases such buildings as have been taken over by the licensee, together with any new buildings which may have been erected with the sanction or under the orders of the Collector during the term of the farm will be taken over by the in-coming farmer, provided that they are in good order and condition, at a valuation to be made by the Collector and Executive Engineer, Ajmere Provincial Division, at least three months before the expiration of the farm.

8. The licensee shall further be bound to keep at his own cost the Distillery buildings in good condition and proper repair to the satisfaction of the Collector, and shall at his own cost repair any injury thereto, and undertake any addition to or renewal or reconstruction thereof, or of any portion thereof, caused, or rendered necessary, by wear and tear, or by flood, storm, fire, trespass, or any other accident or necessity; and in the event of failure on the part of the licensee, after due notice to execute or carry out the additions, repairs, renewal or reconstruction which he is bound by this clause to execute or carry out, the Collector may cause such additions, repairs, renewal or reconstruction to be carried out or executed, either during or at the close of the term of this license, and the cost thereof shall be recovered from the licensee or shall be deducted from his deposits. The Collector's decision as to the necessity of additions, repairs, renewal or reconstruction shall be binding on the licensee.

9. Except with the special sanction of the Collector, the working hours of the distilleries will be from sunrise to sunset daily, excepting on Sundays, throughout the year. The distilleries shall be open at all times to inspection by the Commissioner or Collector, or by any subordinate deputed by the Commissioner or Collector for the purpose. The licensee shall at his own expense provide such locks and fastenings of good make for the storage of spirit as the Collector may direct. He shall also make such provision as the Collector may from time to time require for removing waste water and refuse from the distilleries, and for abating any nuisance or inconvenience caused in working the distilleries.

10. No materials except mowa, barley, jagree (molasses), dry raisins and toddy, shall be used for distillation without the written sanction of the Collector, previously obtained, and the materials used shall be of the best quality. No ingredients obnoxious to health shall be used in distilling, or shall be put into the spirit after it has been made. No sugar or colouring matter or other foreign substance except water shall be put into the spirit after it has been made and before it has been gauged and tasted and removed from the distilleries.

11. The spirit issued from the distilleries shall, unless otherwise ordered by the Chief Commissioner, be of three strengths only, viz., 15° Under Proof, 25° Under Proof, and 50° Under Proof. The Collector may sanction as an experimental measure the manufacture of small quantities of liquor of other strengths. No spirit shall be taken out of the distilleries until after it has been gauged and passed by an officer appointed for this purpose by the Collector, nor shall any spirit be transported except under passes issued by the Collector or by an Officer appointed by him in this behalf. The passes for the transport of spirit issued from the distilleries shall be filed in the shops or depôts in which the spirit to which they respectively relate is received, and shall be produced on demand by any Abkari, Revenue, or Police officer above the rank of peon or constable.

12. On all liquor removed from the distilleries a still-head duty shall be paid at such rates as the Collector, subject to the control and approval of the Commissioner and Chief Commissioner, may from time to time determine. The rates of still-head duty thus payable have for the present been fixed at Rs. 2-4 per gallon on spirit 15° Under Proof, at Rs. 2 per gallon on spirit 25° Under Proof, and at Rs. 1-4 per gallon on spirit 50° Under Proof.

13. The amount due on account of excise duty on spirit issued from the distilleries shall be paid into the Government Treasury on or before the day of issue. This license does not in any way restrict the quantities of

## Excise.]

liquor to be removed from the distilleries, and the licensee is at liberty to remove as much or as little liquor as he pleases, provided that duty is paid on every gallon actually removed. One-half of the minimum annual revenue which the licensee has guaranteed, shall be paid by the 30th September, and the whole shall be paid by the 31st March of each year. If the receipts from still-head duty in any half-year do not amount to the sum thus due, the licensee shall pay into the Government Treasury a sum in cash sufficient to supply the deficiency.

14. The maximum retail prices at which liquor shall be sold shall be fixed by the Collector, subject to the control and approval of the Commissioner and Chief Commissioner. For the present the prices have been fixed at Rs. 4-8 per gallon, or annas 12 per bottle of 15° Under Proof, Rs. 3-12 per gallon, or annas 10 per bottle of 25° Under Proof, Rs. 3 per gallon, or annas 8 per bottle of 50° Under Proof; but the above maxima may at any time be raised or reduced by order of the Collector for any reason which he, subject to the control of the Commissioner and Chief Commissioner, may consider sufficient, such as an alteration in the rates of still-head duty mentioned in the preceding paragraph. The contractor may sell liquor at any rates below the maxima according to his own discretion.

15. If the licensee shall desire to be absent at any time for a period exceeding 15 days from Ajmere, which shall be deemed to be the headquarters of his district, he shall appoint some person, approved by the Collector in writing, to be his agent during his said absence, and shall furnish him with a power-of-attorney (of which a copy shall be deposited with the Collector) authorising him to act in his behalf in all matters relating to this license. The licensee shall be responsible for all acts and omissions of all persons employed by him in the manufacture, transport, or sale of liquor, as if they were his own acts and omissions, provided that such acts and omissions are due to any negligence on the part of the licensee.

16. The licensee shall at all times, during the term of this license maintain in his distilleries or depôts a stock of spirit amounting to 500 gallons 15° Under Proof, 1,000 gallons 25° Under Proof, and 1,500 gallons 50° Under Proof, for the requirements of the licensee's district, and shall at all times keep such of his retail shops supplied with spirits of the three strengths hereinafter prescribed in such minimum quantities as the Collector may from time to time direct. The licensee shall, if the Collector by written notice, to be given before the 1st February 189 , so requires, make over to the Collector on the 1st April 189 a quantity of spirit of each strength to

be specified by the Collector, and not exceeding the amounts sufficient in the opinion of the Collector for the supply of the licensee's district for 30 days. Payment shall be made to the licensee for the quantities so made over at the rate of one rupee for each gallon of 15° Under Proof, 12 annas for each gallon of 25° Under Proof, and eight annas for each gallon of 50° Under Proof.

17. Shops for the sale of spirits and toddy shall be established only at such places as may be approved by the Collector. Such shops shall be open at all times to inspection by the Commissioner or Collector, or by any subordinate official deputed for the purpose by either of them. Spirits shall not be sold at the distilleries, but only at the depôts and shops approved by the Collector. The Collector shall be competent, subject to the control of the Commissioner, to permit or require transfers of shops from one locality to another, or the opening of new shops, and for Police purposes, or for the maintenance of good order, or on other grounds of public expediency, to direct any shop or shops to be closed.

18. The licensee shall submit to the Collector the name of every person whom he wishes to employ as a shop-keeper to sell liquor. To every such person, whose character appears to the Collector to be satisfactory, the licensee shall furnish a *nokar-nama*, or certificate of appointment, which shall be countersigned by the Collector. No person who does not possess a *nokar-nama*, as aforesaid, shall be employed by the licensee as a shop-keeper, or shall be permitted by him to sell liquor. If for any cause the licensee shall desire to remove any such shop-keeper from his service, he shall give notice to the Collector, stating the reason for which such removal is desired, and he shall submit the name of the person whom he may wish to employ in such shop-keeper's stead. Thereupon the procedure above prescribed shall be followed in the case of the new nominee.

19. Signboards shall be affixed in a conspicuous place on the front of each shop, showing in English, Urdu, and Hindi the name of the licensed shop-keeper and the strength and prices of the country spirits sold by him.

20. As a general rule, no shop shall be opened before sunrise and all shops shall be closed at 9 P.M., but in any particular locality or on any special occasion the Collector may allow the shops to be kept open till a later hour. Shops in Military Cantonments shall be closed at evening gun-fire, unless for special reasons the Cantonment Magistrate consents to their being kept open longer. No thieves or disorderly persons shall be harboured and no gambling shall be allowed in any shop.

**Excise.]**

21. No country spirit other than that supplied from the authorized distilleries or depôts shall be sold at any shop. Country liquor shall be sold unadulterated and undiluted at the strength supplied from the distilleries. The spirit of each strength shall, if so required by the Collector, be made of a distinct color.

22. No spirit shall be transferred from one shop to another. All shops shall be supplied direct from the distilleries or from some authorized depôt.

23. Except with the express permission in writing of the Collector, spirit shall not be sold to the same person upon the same day in any quantity exceeding one gallon.

24. The licensee and his employés shall use for the sale of spirit only such measure or measures as may be prescribed by the Collector. Pending further orders, the measure used shall be a dram measure containing one-forty-eighth part of an Imperial gallon. Measures shall, if the Collector so require, be made of brass, and shall be tested and stamped in the Sadr or Tahsil office at the expense of the licensee.

25. The licensee shall supply for the use of the Collector and of all Officers of the Preventive Establishment, not lower in rank than a Sub-Inspector, a Sykes' hydrometer in case complete with thermometer, trial glass, and book of tables to be used for testing the strength of spirits. These hydrometers shall be supplied, and replaced if damaged, by the licensee at his own expense; and on the expiry of this license the in-coming contractor will buy from the licensee such of the hydrometers so supplied as are complete and uninjured at the price paid for them.

26. The licensee shall keep true accounts in any form prescribed of receipts and disbursements and of all materials for distillation received and used and of the quantities and strength of the spirit manufactured and issued from the distilleries. These accounts shall be submitted to the Collector on the dates fixed by him. The licensee shall submit half-yearly a statement showing (1) the quantity of spirit issued to each shop and (2) the stock of spirit in hand in each shop at the beginning and close of the half-year.

27. No person shall be allowed to drink to intoxication in any shop. No country spirit which has not been sold by retail shall be removed from any shop, except with the permission of the Collector.

28. If the Officer Commanding a regiment or detachment of European soldiers on a march shall so direct, every shop for the sale of country spirit

[ Excise.

on or adjacent to the line of march shall be closed whilst the regiment or detachment is passing by or is encamped in the vicinity of such shop. The licensee shall supply country spirit to any detachment of five hundred or more men moving within the limits of his district from a shop moving with the said detachment and beyond the said limits, whenever required by the Collector, until such time as the said shop is replaced by another at any station at which the detachments halt.

29. Country spirit shall not be sold or given at any distillery or shop to any European vagrant under escort of the Police or to any European soldier or soldier's wife or child, except to such extent and subject to such restrictions as may from time to time be prescribed by such soldier's Commanding Officer.

30. The licensee shall not, on any pretext whatever, remove country spirit or allow it to be removed beyond the limits of the licensee's district, except for the purpose of clause 28, or with the express permission of, and under conditions prescribed by, the Collector.

31. No portion of the buildings or premises used as the distilleries shall be occupied as a dwelling house by the licensee or by any of his servants.

32. All stocks of spirit held by the licensee at the expiration of his license on the 31st March 189 shall immediately thereafter become the property of Government, and shall be made over to the Collector on the 1st April 189 together with the vessels containing the spirit, which vessels shall be returned by the Collector to the licensee within two months from the time of its being taken over. The Collector shall pay the licensee at the rate of Re. 1 per gallon of 15° Under Proof, annas 12 (twelve) per gallon of 25° Under Proof, and annas 8 (eight) per gallon of 50° Under Proof for any quantity of spirit thus made over, not exceeding an amount sufficient for 30 days' supply of the licensee's district calculated on the average requirements of the said district during the term of this license. The licensee shall not be entitled to any payment whatever for any quantity made over in excess of the said amount.

33. The licensee shall not sub-lease the whole or any portion of the exclusive privilege either of manufacture or of sale hereby granted to him, and he shall not enter into any agreement in connection with the exercise of the said privileges, which in the opinion of the Collector is of the nature of a sub-lease.



**Excise.]**

34. The licensee shall bear all risk of loss from failure of seasons, departure of troops, diminution of the number of residents, closing shops, famine, or from any other cause whatsoever, and shall from time to time punctually make all payments due under this license as soon as they become due without any pretext, excuse, or claim for compensation whatever. Interest at the rate of six per centum per annum shall be paid by him on all arrears, if any, left outstanding on the due dates; and in the event of any default in payment of any sum due by the licensee under this license, the Collector may recover the same with interest thereon at 6 per centum per annum from the date on which it fell due by any or all of the following methods, namely, by deduction from the sum which has been deposited by the licensee by way of security for the due fulfilment of the conditions of this license, or by attachment and sale of his property, or in any other manner prescribed by the law for the time being in force.

35. The Chief Commissioner of Ajmere-Merwara shall have power at any time to suspend this license in whole or in part, if in his opinion there has been an infringement by the licensee or by any of his servants of any of the conditions thereof, or of any provision of the law for the time being in force relating to the Abkari Revenue.

36. If this license is recalled or cancelled, the exclusive privilege herein granted may be resold by the Collector, subject to the Commissioner's orders, at the risk of the licensee, who shall be responsible for the loss, if any, arising from such resale, but shall have no claim to the profit, if any, realised thereby, or it may be otherwise disposed of as the Commissioner may direct and all stocks of spirit held by the licensee at the time at which his license is recalled or cancelled, shall forthwith be made over to the Collector together with the vessels containing the spirit. The said spirit shall thereupon become the property of Government, and shall be disposed of by the Collector in such manner as the Commissioner may direct, and the said vessels shall be returned by the Collector within a period of two months to the licensee.

37. The licensee shall not be entitled to claim from the British Government any compensation whatever for any loss or losses which he may incur in consequence of the action of the British authorities, or of the action of

[Excise.

the ruling powers of Native States, in regard to the administration of excise or other matters.

Granted this \_\_\_\_\_ day of \_\_\_\_\_ 189 .

*Collector of Excise, Ajmere-Merwara.*

Counterpart agreement to be executed by the licensee.

I \_\_\_\_\_ the abovenamed  
licensee, hereby agree to all the conditions hereinbefore written.

Signed in our presence this \_\_\_\_\_ day of \_\_\_\_\_

Witness	}	Licensee
1		
2.	}	

**Excise.]****LICENSE FOR THE RETAIL SALE OF COUNTRY SPIRIT.**

WHEREAS I \_\_\_\_\_  
 have taken in farm the right to manufacture country spirit in the District of Ajmere-Merwara, I do, under the provisions of Section 16 of the Excise Act, 1881, hereby grant to you (name and address) this license for the retail sale of country spirit at the village of \_\_\_\_\_  
 Pergana.

This license is granted subject to the conditions specified below and is liable to forfeiture for any breach of the said conditions:—

1. The license shall be kept at your shop and shall be produced on the requisition of any Excise Officer.

2. The license-holder shall at all times maintain in his shop a stock of country spirit of each of the following strengths:—

Namely, 15° U. P., 25° U. P., and 50° U. P., sufficient for the ordinary consumption of his circle for 15 days.

3. No liquor shall be sold by the license-holder of any strength other than those prescribed in the last preceding clause, provided that in cases in which the strength of the liquor has owing to causes beyond the license-holder's control become not more than 2° below the original strength of such liquor its sale shall be lawful.

4. The license-holder shall not sell or keep any liquor other than that received from the Central Dépôt or Distillery.

5. The license-holder shall not mix water or any other substance, flavouring or colouring matter whatever with the liquor received from the Central Dépôt or distillery without special permission in writing from the Collector.

6. The license-holder shall sell liquor only by the dram measure; such measures shall contain one-forty-eighth part of a gallon, and shall be stamped with the Government stamp in token of their correctness.

7. No liquor shall be sold by the bottle or by pints except liquor in sealed bottles.

8. No quantity of liquor less than half a dram may be sold.

[Excise.]

9. No quantity of liquor in excess of one gallon may be sold in one day to any one person except with the express permission in writing of the Collector.

10. No liquor shall be sold at above the following rates :—

15° U. P.....	.....
25° U. P.....	.....
50° U. P.....	.....

11. No liquor shall be sold to any person who is already intoxicated (and liquor shall not be sold to be drunk on the premises to any person in such quantity as, considering the age and sex of such person, is likely to cause intoxication.)

12. No liquor shall be sold to any European vagrant who is in charge of the Police.

13. No liquor shall be sold to any European soldier or to the wife or child of any European soldier except to such extent and subject to such restrictions as the Commanding Officer of such soldier may prescribe.

14. The license-holder must at all times close his shop if required to do so by the Officer Commanding any European Regiment or Detachment of European soldiers passing by or encamped near such shop.

15. If required to do so by the farmer under the written order of the Collector, the license-holder must make arrangements to supply liquor to any detachment of 500 or more men moving through his circle.

16. The license-holder must keep his shop open for the sale of liquor and in the charge of himself or some member of his family from sunrise to 9 P.M. daily, and shall not sell liquor to any person between 9 P.M. and sunrise. In the City of Ajmere shops may be kept open till 10 P.M.

17. In the event of the license-holder placing any member of his family in charge of his shop, he shall be personally responsible in all respects for the acts and omissions of such person.

18. The license-holder must not without permission transfer liquor from one shop to another or sell liquor at any place except his shop.

19. No license-holder shall harbour thieves, bad characters, and other disorderly persons.

20. In the event of any crime and breach of the peace being committed at his shop, the license-holder shall give immediate notice thereof to the nearest police station or to the headman of his village.

**Excise.]**

21. The license-holder shall give immediate information to the farmer and to the police or headman of his village of any attempt to manufacture illicit liquor in or to import illicit liquor into the neighbourhood of his shop.

22. The license-holder shall affix in some conspicuous part of his shop a signboard showing in English and in vernacular his name and the prices and strength of the country liquor which he is authorised to sell.

COUNTERSIGNED.

*Contractor.*

*Collector.*

[Excise.]

RULES FRAMED UNDER SECTION 11 OF ACT XXII OF 1881  
(EXCISE) BY THE CHIEF COMMISSIONER,  
AJMERE-MERWARA.

(*Vide his Letter No. 1532, dated 30th December, 1887.*)

1. A land-holder or cultivator, who cultivates Bhang or Ganja, shall not sell the same or any preparation or admixture thereof, except to a person licensed under the Excise Act (XXII of 1881) to sell intoxicating drugs.

2. For the purpose of the preceding rule it will generally be convenient that such land-holder or cultivator shall, before reaping the crop, arrange to sell it to a person licensed to sell intoxicating drugs, but should he not make such arrangement, he shall, within one month from the time when he has reaped his crop of Bhang or Ganja, report to the nearest Magistrate or to the officer in charge of the nearest Police Station the quantity in weight of the outturn, and shall within one month of the date of such report dispose of the whole of such quantity, excepting  $\frac{1}{4}$  seer of Bhang and 5 tolas of Ganja, which he is authorized to keep in his possession under section 22 of the Act.

3. Any such land-holder or cultivator wishing to export Bhang or Ganja produced on his land shall, subject to the provisions of the last preceding rule, take out a pass from the Collector for the transport of the same.

Pass for transport of Bhang or Ganja to be granted to a land-holder or cultivator:—

Register No. \_\_\_\_\_

Name, parentage and residence of land-holder or cultivator \_\_\_\_\_

Net weight \_\_\_\_\_

Description of Drug stating place of growth \_\_\_\_\_

Destination \_\_\_\_\_

District \_\_\_\_\_

Dated \_\_\_\_\_

}

Collector.

**Excise.]**

**RULES FRAMED UNDER SECTION 55 OF THE EXCISE ACT OF 1881  
BY THE CHIEF COMMISSIONER OF AJMERE-MERWARA.**

*(Vide his Letter No. 1532, dated 30th December, 1887.)*

4. Licenses for the farm of intoxicating drugs shall ordinarily be granted annually, but the Collector may, with the previous sanction of the Chief Commissioner, let the farm for a period not exceeding three years.

5. The farmer shall pay the amount of his farm by such instalments and on such dates as may be ordered by the Collector at the time of the sale of the farm by public auction. He shall also contribute such quota of the cost of preventive establishment as may be determined by the Collector.

6. The farmer shall deposit in advance one-sixth of the amount payable by him for the term of his farm by way of security, and shall furnish security for another one-sixth in house property or Government promissory notes as may be demanded by the Collector.

7. (a) The form of the farming lease shall be as follows:—

Be it known that \_\_\_\_\_ of \_\_\_\_\_ is hereby authorized by the Collector of Ajmere to sell Bhang, Ganja, Charas, and preparations and admixtures thereof, wholesale and retail, in the District of \_\_\_\_\_ including the \_\_\_\_\_ Cantonments, upon the following conditions, any infringement of which shall render his license and the money deposited as security liable to forfeiture, and subject him to the penalty prescribed by law for such offence.

(1) That he shall pay monthly in advance on the 1st day of each month commencing on the \_\_\_\_\_ on account of his farm the following sums:—

(2) That all risks of loss from failure of seasons or from any other cause whatsoever shall be borne by him, and he shall make all payments as aforesaid from time to time as they fall due without any excuse or claim for compensation whatever.

That he shall be bound by the Excise Act and the rules framed thereunder by the Chief Commissioner.

(3) That he shall keep a shop (or shops) only at the place (or places) noted in the margin, or at such other places as the Collector may from time to time permit or order, and shall make his sales only in it (or them) and nowhere else.

## [Excise.

(4) That he shall make his own arrangements for obtaining supplies of the intoxicating drugs which he is hereby authorized to sell, provided always that he shall not purchase the same from any person in the District of Ajmere-Merwara other than the Collector of Ajmere, a land-holder or a cultivator, and that he shall always maintain in his shop or shops such minima stocks of intoxicating drugs of each kind as may be directed by the Collector.

(5) That he shall sell wholesale only to his retail vendors.

NOTE.—Quantities sold in excess of the following are defined to be sold wholesale under section 3, Clause (k) of the Excise Act, XXII of 1881.

Bhang or any preparation or admixture thereof, one-quarter of a seer (20 tolas.)

Ganja or Charas or any preparation or admixture thereof, five tolas.

(6) That he shall from time to time submit to the Collector for his approval the names, ages, and address of all persons employed by him as retail vendors, and shall forthwith dismiss any person so employed on being required so to do by the Collector. That he shall not without the written permission of the Collector sublet the whole or in part the right of vend conferred upon him by this lease or admit partners into his business.

(7) That he shall not sell to one and the same person (other than a licensed retail vendor) on any one day—

(a) Bhang or any preparation or admixture thereof more than one-quarter of a seer (20 tolas), and

(b) Ganja or Charas or any preparation or admixture thereof more than five tolas.

(8) That he shall not receive grain, goods, ornaments, wearing apparel or other property in barter or pawn for intoxicating drugs.

(9) That he shall keep his shop open only during such hours as may from time to time be prescribed by the Collector.

(10) That he shall not sell any intoxicating drug to any person under 16 years of age or to any insane person.



**Excise.]**

- (11) That he shall not permit persons of notoriously bad character to resort to his shop (or any of his shops); that he shall prevent gaming and disorderly conduct therein and shall be bound to give information to the nearest Magistrate or Police Officer of any suspected person who may resort to his shop.
- (12) That he shall keep such accounts of stock and sales as may be required by the Collector.
- (13) That the weights and measures used in his shop shall be such only as may be prescribed by the Collector, and shall be tested and stamped at his expense under the orders of the Collector.
- (14) That he shall have constantly fixed in a conspicuous part of the front of his shop a signboard, bearing in legible characters in the Hindi language, his name and the words "Licensed Vendor."
- (15) That he shall produce for inspection on the demand of the Collector or any Excise-officer his lease (or license) and accounts, and allow such officer access to his shop when required so to do.
- (16) That illicit Ganja or Bhang or any intoxicating drugs confiscated under the Act shall be purchased by him at such rate as the Collector may determine, not exceeding the ordinary market rate obtaining in adjacent native territory.
- (17) That the licensed vendors subordinate to him shall be considered to be his agents, and he shall be held responsible for the due fulfilment by them of all the conditions of their licenses.
- (18) That the intoxicating drugs supplied by him shall always be of good quality and free from adulteration.
- (19) That he shall not supply any intoxicating drugs to European soldiers or non-commissioned officers, whether with their regiments or on the Staff or in civil employ, or camp followers of European regiments, or to any servants, natives or others, having access to European soldiers.
- (20) That he shall not sell intoxicating drugs on credit except to his licensed retail vendors.
- (21) That he shall issue licenses to his retail vendors in the form prescribed by the Chief Commissioner and shall get them, before issue, countersigned by the Collector.

[Excise.

(22) The Collector has the option of cancelling this license under the provisions of Act XXII of 1881. The cancellation of this license involves or effects the cancellation of the license or licenses granted by the farmer.

7 (b) The form of license for retail sale of intoxicating drugs shall be as follows: —

Be it known that \_\_\_\_\_ of \_\_\_\_\_ is hereby authorized by \_\_\_\_\_ farmer of intoxicating drugs in the District of Ajmere and Merwara, with the previous approval of the Collector, to sell Bhang, Ganja, Charas and preparations and admixtures thereof retail in the town or village of \_\_\_\_\_ in the District of \_\_\_\_\_ upon the following conditions, any infringement of which shall render his license liable to forfeiture, and subject him to the penalty prescribed by law for such offence.

(1) That he shall obtain his supplies from the Sadr Farmer.

(2) That he shall only sell by retail up to the limit prescribed in clause (k) of Section 3 of Act XXII of 1881, *viz.*, Bhang or any preparation or admixture thereof, one-quarter of a seer (20 tolas): Ganja or Charas or any preparation or admixture thereof, five tolas.

(3) That he shall keep a shop (or shops) only at the place (or places) noted in the margin, or at such other places as the Collector may from time to time permit or order, and shall make his sales only in it (or them) and nowhere else.

(4) That he shall not receive grain, goods, ornaments, wearing apparel or other property in barter or pawn for intoxicating drugs.

(5) That he shall keep his shop open only during such hours as may from time to time be prescribed by the Collector.

(6) That he shall not sell any intoxicating drug to any person under 16 years of age or to any insane person.

(7) That he shall not permit persons of notoriously bad character to resort to his shop (or any of his shops); that he shall prevent gaming and disorderly conduct therein, and shall be bound to give information to the nearest Magistrate or Police Officer of any suspected person who may resort to his shop.

(8) That he shall keep such accounts of stock and sales as may be required by the Collector.

**Excise.]**

(9) That the weights and measures used in his shop shall be such only as may be prescribed by the Collector, and shall be tested and stamped at his expense under the orders of the Collector.

(10) That he shall have constantly fixed in a conspicuous part of the front of his shop a signboard bearing in legible characters in the Hindi language his name and the words "Licensed Vendor."

(11) That he shall produce for inspection on the demand of the Collector or any Excise-officer his lease (or license) and accounts, and allow such officer access to his shop when required so to do.

(12) That the intoxicating drugs supplied by him shall always be of good quality and free from adulteration.

(13) That he shall not supply any intoxicating drugs to European soldiers or non-commissioned officers, whether with their regiments or on the staff or civil employ, or camp followers of European regiments, or to any servants, natives or others, having access to European soldiers.

(14) That he shall not sell intoxicating drugs on credit.

### DISPOSAL OF THINGS CONFISCATED.

8. Things confiscated under the Act, except intoxicating drugs, shall be sold by public auction under orders of the Collector, and the proceeds shall be disposed of in the manner ordered by the convicting Magistrate.

### DUTIES OF EXCISE OFFICERS.

*NOTE.*—These will be the same as those prescribed for Abkari Officers.

[Excise.]

## INTOXICATING DRUGS.

ORDERS BY THE CHIEF COMMISSIONER OF AJMERE-MERWARA.

## NOTIFICATION.

No. 1529 OF 1887. [ " ]

*Dated Abu, 30th December 1887.*

Under Section 56 of Act XXII of 1881, the Chief Commissioner of Ajmere-Merwara is pleased to exempt the Ruling Chiefs of Rajputana from the operation of the said Act as regards possession of intoxicating drugs and their sale to their own retainers during the period of their stay in the District of Ajmere-Merwara.

*Abu, the 6th May, 1895.*

[<sup>b</sup>] No. 498.—The exemption granted in this Office Notification No. 1529, dated the 30th December, 1887, is hereby extended to the import, possession, and sale of country spirit and fermented liquor manufactured at any place in India beyond the limits of British India.

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[<sup>a</sup>] Vide *Gazette of India* for 1888, Pt. II, p. 4.

[<sup>b</sup>] Vide *Gazette of India* dated 11th May 1895, Pt. II, p. 595.



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THE INDIAN FACTORIES ACT, 1881,

AS MODIFIED UP TO THE 1ST APRIL, 1891.

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## STATEMENT OF REPEALS AND AMENDMENTS.

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REPEALED IN PART AND AMENDED . . . . . ACT XI OF 1891.

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The following changes have been made in reprinting :—

- (1) repealed matter has been omitted, explanatory notes being inserted:
- (2) amendments have been inserted in their proper places, with explanatory footnotes :
- (3) some further footnotes have been added for convenience of reference :
- (4) section-numbers occurring in the text have been printed in figures instead of in words :
- (5) the number and year of Acts referred to in the text have been noted in the inner margin :
- (6) the headings to the pages have been amplified:
- (7) a table of contents has been added ;





# CONTENTS.

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## PREAMBLE.

### *Preliminary.*

#### SECTIONS.

1. Short title and local extent.
2. Interpretation-clause.

### *Inspectors and certifying Surgeons.*

3. Inspectors.
4. Powers of Inspectors.
5. Certifying surgeons.

### *All Operatives.*

- 5A. Limited stoppage of work daily in certain circumstances.
- 5B. Holidays.

### *Women.*

6. Employment of women.

### *Children.*

7. Employment of children.
8. Prohibition of employment of child in certain dangerous work.
9. Register of children in a factory.

### *Women and Children.*

10. Provisions supplementary to sections 6 and 7.
11. Prohibition of employment of woman or child in two factories on same day.

### *Fencing.*

12. Fencing.

### *Notices.*

13. Notice to be given of accidents.
14. Person beginning to occupy factory to give notice.

### *Penalties.*

15. Penalties.
16. Burden of proof as to age.
17. Occupier primarily liable for breaches of Act or orders or rules thereunder.

### *Miscellaneous.*

18. Power to make rules.
19. Crown factories.
20. Power to Local Government to extend definition of "factory."



ACT No. XV of 1881[<sup>a</sup>]

PASSED BY THE GOVERNOR-GENERAL OF INDIA IN COUNCIL.

*(Received the Governor-General's assent on the 15th March, 1881.)*

## An Act to regulate labour in Factories.

*(As modified up to the 1st April, 1891.)*

WHEREAS it is expedient to regulate labour in factories; It is hereby Preamb  
enacted as follows:—

*Preliminary.*

1. This Act may be called the Indian Factories Act, 1881.

It applies to the whole of British India. [<sup>b</sup>]

Short ti  
and loc  
extent.

2. In this Act, unless there is something repugnant in the subject or Interpret  
context,— clause.

“factory” means any premises (other than indigo factories or premises “factor  
situated on, and used solely for the purposes of, a tea or coffee plantation)  
wherein is carried on, for not less than four months in the whole in any one  
year, any process for, or incidental to making, altering, repairing, ornament-  
ing, finishing or otherwise adapting for use, transport or sale, any article or  
part of an article; and

(a) wherein steam, water or other mechanical power is used in aid of  
any such process; and

[<sup>c</sup>](b) wherein, subject to the provisions of section 20, not less than fifty  
persons are on any day simultaneously employed in any manual  
labour in, or incidental to, any such process; and [<sup>c</sup>]

Every part of a factory shall be deemed to be a factory, except any  
part used exclusively as a dwelling:

“child” means a person under the age of fourteen[<sup>d</sup>] years;

“child.”

“mill-gearing” includes every shaft, whether upright, oblique or hori- “mill-ge  
zontal, and every wheel, drum, pulley, rope, driving strap or band, by which ing.”  
the motion of the first moving power is communicated to any machine:

[<sup>a</sup>] References to Act XV of 1881, to be read as references to that Act as amended by Act XI of 1891, see s. 19 of the latter Act.

[<sup>b</sup>] Words and figures in s. 1, repealed by Act XI of 1891, s. 2, are omitted.

[<sup>c-c</sup>] This clause was substituted for the original clause (b) of s. 2 by Act XI of 1891, s. 3.

[<sup>d</sup>] This word “fourteen” was substituted for the original word “twelve” in s. 2 by Act XI of 1891, s. 5.

## Factories.]

a person[<sup>a</sup>] who works in a factory, whether for wages or not,[<sup>b</sup>] in a manufacturing process or handicraft, or in cleaning any part of the factory used for any manufacturing process or handicraft, or in cleaning or oiling any part of the machinery or in any other kind of work whatsoever incidental to, or connected with, the manufacturing process or handicraft, or connected with the article made or otherwise the subject of the manufacturing process or handicraft therein, shall be deemed to be employed therein within the meaning of this Act.

*Inspectors and certifying Surgeons.*

3. The Local Government may in its discretion, by notification in the official Gazette, appoint, [<sup>c</sup>] by name or by office, [<sup>c</sup>] such persons as it thinks fit to be inspectors of factories within such local limits as it may assign to such inspectors, and may suspend or dismiss any persons so appointed.

[<sup>d</sup>] The District Magistrate shall, in virtue of his office, be an Inspector of all factories, if any, in his district.

Such inspectors shall be deemed public servants within the meaning of the Indian Penal Code, [<sup>e</sup>] and shall be officially subordinate to such authority as the Local Government may from time to time indicate in this behalf. XLV  
of 1891

4. An Inspector of factories may, within the local limits for which he is appointed,—

(a) enter, with such assistants (if any) as he thinks fit, any factory whenever he has reason to believe that any person is employed therein ;

(b) make such examination of the premises and machinery, and of the registers hereinafter prescribed, and take on the spot or otherwise such evidence of any person as such Inspector may deem necessary for carrying out the purposes[<sup>f</sup>] of this Act;

[a] This word "person" was substituted for the original word "child" in the definition of the word "employed" by Act XI of 1891, s. 4 (1).

[b] The word "either," in the definition of the word "employed," repealed by Act XI of 1891, s. 4 (2), is omitted.

[c-c] These words in s. 3 were inserted by Act XI of 1891, s. 6 (1).

[d] This second para. was substituted for the original second para. of s. 3 by Act XI of 1891, s. 6 (2).

[e] For Act XLV of 1860 see the revised edition, as modified up to 1st August, 1890, published by the Legislative Department.

[f] This word "purposes" was substituted for the original word "provisions" in clause (b) of s. 4 by Act XI of 1891, s. 7.

## [Factories.]

(c) order that any person shall not be employed in a factory when he has reason to believe that such employment would be in contravention of this Act,—

until the age of such person has been certified in the manner hereinafter provided to be above nine<sup>[a]</sup> years, or

for more than the time allowed by this Act for the employment of children, until his age has been so certified to be above fourteen<sup>[b]</sup> years.

5. The civil surgeon or such other person practising medicine or surgery as the Local Government may from time to time appoint in this behalf for any local area (hereinafter called the certifying surgeon) shall, at the request of any person employed or desirous of being employed in a factory situate in such local area, or of the parent or guardian of such person,<sup>[c]</sup> and on payment by such person of such fee, if any, as may from time to time be prescribed by the Governor-General in Council by notification in the Gazette of India,<sup>[d]</sup> examine such person and grant him a certificate, stating whether his age, as nearly as it can be ascertained from such examination, is above or below nine<sup>[e]</sup> years, or fourteen<sup>[f]</sup> years, as the case may be. Certifying surgeons.

*All Operatives.*<sup>[g]</sup>

<sup>[h]</sup> 5A. (1) In every factory, except a factory in which a system of employment in shifts or sets approved by the local Inspector is in force, there shall between noon and two o'clock in the afternoon be a stoppage of work for a full half-hour: Limited stoppage of work daily in certain circumstances.

(2) Provided that nothing in this section shall apply to any factory of a class to which the Governor-General in Council has, by notification in the Gazette of India, declared this section not to apply.

<sup>[i]</sup> 5B. (1) No person shall be employed in any factory on a Sunday: Holidays.

(2) Provided as follows:—

(a) any manager, foreman, mechanic, artisan or labourer may be employed in a factory on a Sunday in examining or repairing, or in

[a] This word "nine" was substituted for the original word "seven" in s. 4 by Act XI of 1891, s. 9.

[b] This word "fourteen" was substituted for the original word "twelve" in s. 4 by Act XI of 1891, s. 5.

[c-e] These words in s. 5 were inserted by Act XI of 1891, s. 8.

[d] This word "nine" was substituted for the original word "seven" in s. 4 by Act XI of 1891, s. 9.

[e] This word "fourteen" was substituted for the original word "twelve" in s. 4 by Act XI of 1891, s. 5.

[f] This heading was substituted for the original heading to s. 6, and these ss. 5A to 11, both inclusive, were substituted for the original ss. 6 to 11, both inclusive, by Act XI of 1891, s. 10.

**Factories.]**

supervising or aiding in the examination or repair of, any machinery or other thing whatsoever necessary for the carrying on of the work performed in the factory ;

- (b) any person may be employed in a factory on a Sunday if he has had or will have a holiday for a whole day on one of the three days immediately preceding or succeeding the Sunday ;
- (c) the Local Government may from time to time, by notification in the official Gazette, declare sub-section (1) of this section not to apply to any factory or class of factories (the factory or class being described in the notification) in which the work performed—
  - (i) necessitates continuous production for technical reasons, or
  - (ii) supplies the public with articles of prime necessity which must be made every day, or
  - (iii) by its nature cannot be carried on except at stated seasons or at times dependent on the irregular action of natural forces ; and
- (d) the Governor-General in Council may from time to time, by notification in the Gazette of India, declare sub-section (1) of this section not to apply to factories of any class described in the notification.

*Women.*

[<sup>a</sup>]6. (1) No woman shall be employed before five o'clock in the morning or after 8 o'clock in the evening in any factory in which a system of employment in shifts or sets approved by the local Inspector is not in force.

(2) No woman shall be actually employed in any factory in any one day for more than eleven hours.

(3) Every woman shall be allowed an interval or intervals of rest amounting in the aggregate to at least an hour-and-a-half in the day when she is actually employed for eleven hours and to a proportionately less time when she is actually employed for less than eleven hours.

(4) The Governor-General in Council may from time to time, by notification in the Gazette of India, declare all or any of the foregoing sub-sections of this section not to apply to factories of any class described in the notification or to women employed in any process so described.

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[<sup>a</sup>] See footnote [<sup>f</sup>] on preceding page.

## [Factories.]

*Children.*

[<sup>a</sup>]7. (1) No child shall be employed in any factory if he is under the age of nine years. Employment of children.

(2) No child shall be employed in any factory before 5 o'clock in the morning or after 8 o'clock in the evening.

(3) No child shall be actually employed in any factory for more than seven hours in any one day.

(4) Every child who is actually employed in any factory for six hours in any one day shall be allowed an interval or intervals of rest amounting in the aggregate to at least half-an-hour.

[<sup>a</sup>]8. No occupier of a factory shall allow any child to clean any part of the mill-gearing or machinery of such factory while the same is in motion, or to work between the fixed and traversing parts of any self-acting machine while such machine is in motion by the action of the steam-engine, water-wheel or other mechanical power, as the case may be. Prohibition of employment of child in certain dangerous work.

[<sup>a</sup>]9. The Local Government may direct any occupier of a factory to keep, in such form and with such particulars as such Government may from time to time prescribe, registers of the children (if any) employed in such factory, and of their respective employments. Register of children in a factory.

*Women and Children.*

[<sup>a</sup>]10. (1) The occupier shall set up and maintain, in some conspicuous place in the factory, a printed or written notice, in English and the languages of the district in which the factory is situated, showing the times at which such intervals as are required by section 6, sub-section (3), and section 7, sub-section (4), to be allowed to women and children, respectively, shall be allowed and the length of each interval. Provisions supplementary to sections 6 and 7.

(2) A woman or child shall not be deemed to be actually employed within the meaning of section 6 or section 7 during any such interval as aforesaid.

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[<sup>a</sup>] See footnote [<sup>f</sup>] on p. 267, *supra*.



## Factories.]

[<sup>a</sup>]11. No occupier of a factory shall employ therein on any day any woman or child who has to his knowledge already been employed on the same day in any other factory..

### *Fencing.*

12. (a) Every fly-wheel directly connected with a steam-engine,[<sup>b</sup>] water-wheel or other mechanical power in any part of a factory, and every part of a steam-engine or water-wheel,

(b) every hoist or teagle near which any person is liable to pass or be employed, and

(c) every other part of the machinery or mill-gearing of a factory which may, in the opinion of the local Inspector, be dangerous if left unfenced, and which he may have ordered to be fenced,

shall, while the same is in motion, be kept by the occupier of such factory securely fenced.

Any order under clause (c) may be set aside, on appeal or otherwise, by the Local Government or such authority as it may appoint in this behalf.

### *Notices.*

13. When any accident occurs in a factory causing death or bodily injury whereby the person injured is prevented from returning to his work in the factory during forty-eight hours next[<sup>c</sup>] after the occurrence of the accident the occupier of such factory, or, in his absence, his principal agent in the management of such factory, shall send such notice of [<sup>d</sup>]the accident[<sup>d</sup>] to such authorities in such form and within such time as the Local Government may from time to time by rule direct.

14. Every person shall, within one month after he begins to occupy a factory, send to the local Inspector a written notice containing the name of

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[a] See footnote [f] on page 267 *supra*.

[b] The word "or," where it first occurs in s. 12 (a), repealed by Act XI of 1891, s. 11 is omitted.

[c] This word "next" in s. 13 was inserted by Act XI of 1891, s. 12.

[d-d] These words in s. 13 were substituted for the original words by Act XI of 1891, s. 12.

## [Factories.]

the factory [<sup>a</sup>] and of [<sup>a</sup>] the place where it is situate, the address to which he desires his letters to be addressed, the nature of the work performed in such factory, the nature and amount of the moving power therein, and the name of the person [<sup>b</sup>] under whom the business of the factory is to be carried on.

*Penalties.*

[<sup>c</sup>] 15. (1) Any person who, in breach of this Act or of any order or rule made thereunder,—

- (a) employs any person in any factory ;
- (b) allows any child to perform the work forbidden by, or to work in contravention of section 8 ;
- (c) neglects to keep a Register in manner prescribed under section 9 ;
- (d) neglects to set up or maintain the notice required by section 10, sub-section (1) ;
- (e) neglects to fence any machinery or mill-gearing in any factory ;
- (f) neglects to maintain a supply of water for the use of persons employed in any factory ;
- (g) neglects to ventilate any factory or to keep any factory in a cleanly state and free from effluvia arising from any drain, privy or other nuisance ;
- (h) suffers any factory to be so overcrowded, while work is carried on therein, as to be injurious to the health of the persons employed therein ; or
- (i) neglects to send any notice or furnish any return,  
shall be punished with fine which may extend to two hundred rupees :  
Provided that—
- (i) no prosecution under this sub-section shall be instituted except by, or with the previous sanction of, the local Inspector ; and
- (ii) no person shall be liable under this sub-section to more than one penalty for any one description of offence committed on the same day, except where two or more persons are employed contrary to the provisions of this Act, in which case one penalty may be imposed in respect of each person so employed.

[<sup>a-a</sup>] These words in s. 14 were inserted by Act XI of 1891, s. 13 (1).

[<sup>b</sup>] The words “ (if any)” in s. 14, repealed by Act XI of 1891, s. 13 (2), are omitted.

[<sup>c</sup>] This section was substituted for the original s. 15 by Act XI of 1891, s. 14.

## Factories.]

(2) Any person who corruptly uses or attempts to use, as a certificate granted to himself under section 5, a certificate granted to another person under that section, or who, having procured a certificate under the said section, corruptly allows it to be used, or an attempt to use it to be made, by another person, shall be punished with fine which may extend to twenty rupees.

16. Where an act or omission would, if a person were under nine [<sup>a</sup>] or fourteen [<sup>b</sup>] years of age, be an offence punishable under this act, and such person is, in the opinion of the Court, apparently under such age, it shall lie on the accused to prove that such person is not under such age.

A declaration in writing by a certifying surgeon that he has personally examined a person employed in a factory and believes him to be under or over the age set forth in such declaration shall, for the purposes of this Act, be admissible as evidence of the age of that person.

[<sup>c</sup>]17. Every occupier of a factory shall be deemed primarily liable for any breach therein of this Act or of any order or rule made thereunder; but he may discharge himself from such liability by proof that such breach was committed by some other person without his knowledge or consent, and in that case the person committing such breach shall be liable therefor.

### *Miscellaneous.*

[<sup>a</sup>]18. (1) Subject to the control of the Governor-General in Council, the Local Government may from time to time make rules consistent with this Act to provide for—

- (a) the fencing of machinery and mill-gearing in factories ;
- (b) the water-supply to be maintained for the use of persons employed in factories ;
- (c) the ventilation of factories and their cleanliness (including lime-washing, painting, varnishing and washing) and freedom from effluvia arising from any drain, privy or other nuisance ;
- (d) the prevention of such overcrowding of factories, while work is carried on therein, as is likely to be injurious to the health of the persons employed therein ;

[<sup>a</sup>] This word "nine" was substituted for the original word "seven" in s. 16 by Act XI of 1891, s. 9.

[<sup>b</sup>] This word "fourteen" was substituted for the original word "twelve" in s. 16. by Act XI of 1891, s. 5.

[<sup>c</sup>] This section was substituted for the original s. 17 by Act XI of 1891, s. 15.

[<sup>d</sup>] This section was substituted for the original s. 18 by Act XI of 1891, s. 16 (1).

## [Factories.]

- (e) the inspection of factories ;
- (f) the manner in which appeals under this Act are to be presented and heard; and
- (g) otherwise carrying out the purposes of this Act.

(2) The Governor-General in Council may from time to time make rules requiring occupiers of factories to furnish such returns, occasional or periodical, as may be necessary for the effectual carrying out of this Act.

(3) Such rules shall be published in the local official Gazette or the Gazette of India, as the case may be, and shall thereupon have the force of law.

(4) Before making rules under clause (b), clause (c) or clause (d) of sub-section (1) of this section, the Local Government, and before making rules under sub-section (2) of this section the Governor-General in Council, shall publish, in such manner as may in its or his opinion be sufficient for giving information to persons interested, a draft of the proposed rules, with a notice specifying a date (not less remote than two months from the publication of the notice) at or after which the draft will be taken into consideration, and shall consider any objection or suggestion which may be received from any person with respect to the draft before the date so specified.

19. This Act shall apply to factories belonging to the Crown: provided that in case of any public emergency, the Governor-General in Council or the Local Government may, by an order in writing, exempt any [ " ]factory from this Act to such extent and during such period as the Governor-General in Council or the Local Government, as the case may be, thinks fit.

Crown factories.

[<sup>b</sup>] 20. Notwithstanding anything in clause (b) of the definition of the word "factory" in section 2, the Local Government may from time to time, by notification in the official Gazette, declare any premises, or premises of any class, which fulfil the other conditions of the said definition, to be a factory for all the purposes of this Act, or for such of those purposes as may be specified in the notification, if the number of persons simultaneously employed in the premises on any day in any manual labour in, or incidental to, any such process as is referred to in the said clause (b) is less than fifty and not less than twenty.

Power to Local Government to extend definition of "factory."

(2) The Local Government may, by such notification, fix any number below fifty and not below twenty as the number of persons whose simultaneous employment as aforesaid is to be held to subject premises, as a factory, to all or any of the provisions of this Act and of the orders and rules made thereunder.

[a] The word "such," repealed by Act XI of 1891, s. 17, is omitted.

[b] S. 20 was added by Act XI of 1891, s. 18.



No. 122[<sup>a</sup>].—*The 27th January, 1892.*

In exercise of the power conferred by section 5 of the Indian Factories Act (XV of 1881,) as amended by Act XI of 1891, the Governor-General in Council is pleased to prescribe a fee of 4 annas as the fee payable to a certifying surgeon by a person employed or desirous of being employed in a factory for examining him and granting him a certificate in accordance with the provisions of that section.

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NOTIFICATION No. 1420[<sup>b</sup>].—*Dated the 23rd November, 1893.*

In exercise of the power conferred by sub-section (2) of section 5A, of the Indian Factories Act (XV of 1881), as amended by Act XI of 1891, the Governor-General in Council is pleased to declare that the provisions of that section shall not apply to kilns connected with potteries.

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[<sup>a</sup>] *The Gazette of India*, Part I, January 3rd, 1892, page 67.

[<sup>b</sup>] *Government of India Gazette*, Part I, November 25th, 1893, page 663.

**Factories.]**

NOTIFICATION No. 428[<sup>a</sup>]. Dated 25th March, 1892.

In exercise of the power conferred by clause (2) section 18 of the Indian Factories Act, 1881, as amended by Act XI of 1891, the Governor-General in Council has been pleased to make the following rule:—

Every occupier of a factory shall furnish to the Magistrate of the district or if the factory is situate within the limits of a Presidency town, to the Special Inspector of factories or other officer designated in this behalf by the Local Government, the undermentioned returns on or before the dates specified against each: —

I.—On or before the 15th July and the 15th January, respectively, a half-yearly return relating to the first and second half of each calendar year in the following form:—

[illegible]

*N.B.*—The average daily number of children is to be taken from the register of children kept in the factory.

[a] See *Gazette of India* for 1892, Pt. I, p. 155.

## [Factories.]

II.—On or before the 15th January of each year, an annual return in the following form regarding measurements and space :—

Name and situation of factory.	Name of occupier.	Measurements and cubical contents of each room in the factory.	Area of the floor space of any room shown in the preceding column occupied by machinery or other fixtures.	REMARKS.

III.—Before the end of each calendar month, a return giving notice of all the days on which the factory will be closed during the ensuing month.



Factories.]

NOTIFICATION No. 428[<sup>a</sup>]. Dated 25th March, 1892.

In exercise of the power conferred by clause (2) section 18 of the Indian Factories Act, 1881, as amended by Act XI of 1891, the Governor-General in Council has been pleased to make the following rule:—

Every occupier of a factory shall furnish to the Magistrate of the district or if the factory is situate within the limits of a Presidency town, to the Special Inspector of factories or other officer designated in this behalf by the Local Government, the undermentioned returns on or before the dates specified against each: —

I.—On or before the 15th July and the 15th January, respectively, a half-yearly return relating to the first and second half of each calendar year in the following form:—

[illegible]

*N.B.*—The average daily number of children is to be taken from the register kept in the factory.

[a] See *Gazette of India* for 1892, Pt. I, p. 155.

## [Factories.]

given in the Act, may, within 15 days of the receipt of such notice, forward to the Magistrate of the district a statement setting forth his objections to the registration of the premises as a factory. The district Magistrate shall consider and dispose of such objections according to law, after making such inquiry as he may deem necessary, and intimate his decision to all concerned.

8. When any premises cease to be occupied as a factory, the occupier may give notice of the fact to the Inspector of the district, who shall, if satisfied that the Act is no longer applicable to such premises, remove them from his register of factories, and intimate the fact of his having done so to the "Joint Inspector."

9. Each Inspector and "Joint Inspector" shall keep a register of inspection in Form B attached to these rules, in which shall be recorded all orders or remarks passed by him at each inspection.

10. Each Inspector shall at once forward a copy of his inspection memorandum to the Commissioner of Ajmere-Merwara, and also to the occupier of the factory inspected. The despatch through the post under a registered cover of a copy of the inspection memorandum shall be deemed to be sufficient service on the occupier of the factory of any orders or directions therein contained. The "Joint Inspector" shall forward copy of his inspection memorandum through the Inspector of the district to the Commissioner of Ajmere-Merwara.

11. Under section 5 of the Act, the Civil Surgeon of Ajmere is hereby appointed to be the certifying surgeon for the district of Ajmere; and the Assistant Surgeon of Beawar is appointed to be the certifying surgeon for the district of Merwara.

12. It shall be the duty of each certifying surgeon of the district to certify, in Form C attached to these rules, the age of any person employed or desirous of being employed in a factory when called upon to do so under section 5 of the Act. A fee of 4 annas shall be the fee payable to a certifying surgeon by or on behalf of the person to be examined for examining him and granting him a certificate in the said form. The Inspector of each district shall provide the certifying surgeon of his district with blank forms of such certificate.

13. Every occupier of a factory shall keep a file of all certificates of certifying Surgeons relating to children in his employ, and shall produce it when required by the Inspector or "Joint Inspector." Every such certificate shall be returned by such occupier to the parent or guardian of the

## Factories.]

person to whom it relates on his leaving the factory for other employ, and on demand of such parent or guardian, and on receipt of the cost of such certificate, if such cost was originally paid by the occupier.

14. Every occupier of a factory shall keep a monthly register in Form D attached to these rules, and no such register shall be destroyed or removed from the factory without the written permission of the Inspector of the district.

15. The occupier of the factory shall, if required by the Inspector or "Joint Inspector," bring before him, on the occasion of any inspection, all children employed in the factory and any other persons in the service of such occupier whom the Inspecting Officer may wish to see; also all registers, certificates, and notices required by the Act or any rule made thereunder to be kept or issued by such occupier or in the factory.

16. Notice in writing of all accidents resulting in death, or from which the injury is evidently so severe that there is no reasonable hope that the injured person will be able to return to his work within 48 hours, shall be given on the same day on which the accident occurs. Notice of accidents of a less severe character, but which nevertheless prevent the person injured from returning to his work within 48 hours of their occurrence, shall be given immediately on the expiry of the 48 hours' interval allowed by section 13 of the Act. All notices of accidents shall be in Form E, and shall contain the name of the person or persons injured and full information as to the nature and cause of the accident, and shall be sent by special messenger to each of the following officers, namely:—

- (a) Inspector of the district;
- (b) The nearest Magistrate having jurisdiction; and
- (c) The officer in charge of the nearest police-station.

17. Every order for the fencing of any part of the machinery or mill-gearing of a factory, which the district Magistrate or Inspector may pass under section 12 (c) of the Act, shall state clearly what is required, so that the said machinery or gearing may be securely fenced, and shall specify a reasonable time within which what is required to be done shall be completed, and it shall further give notice that if it shall not be so completed, the person responsible for the breach of the order will be prosecuted under section 15 of the Act.

18. Every occupier of a factory shall set up and maintain in a conspicuous place in the factory a printed or written notice in English, Urdu, and Hindi of the daily working hours of the factory in Form F annexed.

## [Factories.]

19. Appeals from the orders of Inspectors under the Act shall lie to the Commissioner of Ajmere-Merwara.

20. Appeals should be in the Form of a memorandum of appeal, similar to that contained in the fourth schedule to the Code of Civil Procedure No. 173, and the stamp fee for such appeal should be regulated according to the provisions of Article 11, Schedule II, of the Court-Fees Act or such provisions as may for the time be in force.

21. If the order of an Inspector is set aside or modified in appeal, the Inspector shall, as early as possible, deliver to the occupant of the factory such amended orders as may be in conformity with the orders of the Commissioner.

22. In every factory a supply of pure potable water from one or other of the following sources shall be provided :—

(a) from a general Municipal water service ;

(b) from one or more wells or reservoirs so situated as not to be liable to be polluted or contaminated with organic matter or other impurities.

23. When taps are not used, a suitable establishment must be maintained for the drawing, protection, and distribution of the water.

24. Proper arrangements must be made for maintaining in drained and cleanly condition the area around the spot set apart for the distribution of the water.

25. Every occupier of a factory shall on every day on which work is carried on in the factory he occupies, have available at the said factory for the use of the persons employed therein, free of cost to them, a water-supply consisting of at least twice as many gallons of water as there are persons employed in the factory. Of the whole supply at least as many gallons as there are persons employed in the factory shall be fit for potable purposes, and the remainder shall be fit for purposes of washing.

26. All the inside walls of the rooms of every factory and all the ceilings or tops of such rooms (whether such walls, ceilings, or tops be plastered or not) and all the passages and staircases of every factory, if they have not been painted with oil or varnished once at least within seven years, shall be limewashed by the occupier of the factory once at least within every 14 months to date from the period when last limewashed, and, if they have been so painted or varnished, shall be washed by the said occupier with hot water and soap once at least within 14 months to date from the period when last washed.

27. The floors of factories shall be swept at least once a week or oftener if to do so is necessary to maintain them in a cleanly condition.

Provided also that subject to the control of the Commissioner, the Inspector may, for reasons to be recorded in writing, relax the conditions of this rule where in his opinion this may be done with due regard to the health of the factory hands employed in any particular room or rooms of a factory.

30. The compound surrounding every factory shall be maintained in a strictly sanitary and cleanly condition.

FORM A.

*Register of Factories, District.*

[illegible]

[Factories.]

## FORM B.

*Register of inspections of Factories, District.*

Number of factory in Register A.	Name or description of factory.	Name of occupier.	Date of inspection.	NUMBER OF PERSONS AT WORK ON DATE OF INSPECTION.			
				Adults.		Children.	
				Men.	Women.	Male.	Female.

*Remarks and orders.*

- |  |   |
|--|---|
| 1. Condition of fencing.<br>2. Supply of drinking water.<br>3. Sanitary arrangements.<br>4. Whether returns are submitted in due time. | 5. Whether registers are duly kept.<br>6. Age of children.<br>7. Other remarks. |
|--|---|

## FORM C.

No. \_\_\_\_\_  
 Dated the \_\_\_\_\_ day of \_\_\_\_\_ 189\_\_\_\_  
 Name of person examined \_\_\_\_\_  
 Son of \_\_\_\_\_ }  
 Daughter of \_\_\_\_\_ }  
 Residing at \_\_\_\_\_  
 Name and locality of factory at  
 which to be employed. \_\_\_\_\_  
 Age certified \_\_\_\_\_

(Under rule 12 of the rules made under section 18 of the Indian Factories Act, 1881.)

Certificate under section 5 of the Indian Factories Act, 1881.

No. \_\_\_\_\_

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 189\_\_\_\_.  
 I hereby certify that I have this day examined

(Name)

(Son of)

(Daughter of)

Residing at \_\_\_\_\_

who is

employed in the

desirous of being employed

(State name and locality of factory)

(Sd.)

*Certifying Surgeon.*

(Sd.)

*Certifying Surgeon.*

## Factories.]

## FORM D.

District

*Monthly Factory Register of Children admitted to employment in*  
(name and locality of factory.)

1	2	3	4	5	6	7	8	9
Serial number.	Name of child.	Sex.	Name of parent or guardian.	Parent's residence.	Age on admission as given by parent or certified by Certifying Surgeon.	Nature of employment.	Date of first admission.	Name of Certifying Surgeon (if any) and number and date of his certificate.

## FORM E.

(Under rule 16 of the rules made under the Indian Factories Act, XV of 1881, as amended by Act XI of 1891.)

*Form of Notice of Accidents occurring in a Factory.*

To  
SIR,

I beg hereby to give notice, under section 13 of the Indian Factories Act, that an accident occurred in the factory of  
at o'clock this day causing to the persons mentioned below :—

Name.	Case.	Sex.	Age.	Nature of injury.

2. The accident was caused by

3. The injured persons are under treatment by  
have been removed to the hospital.)

(or

I have, etc.,

Manager.

Dated







# THE AJMERE FOREST REGULATION, 1874.[<sup>a</sup>]

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## CONTENTS.

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### PREAMBLE.

### SECTIONS.

#### *Preliminary.*

1. Short title.
2. Interpretation-clause.

#### *Taking up of Land under this Regulation.*

3. Declaration for taking up land.
4. Legal effect of such declaration.  
Rights created in favour of villagers—
  - to cut grass,
  - to cut wood,
  - to use ways.
5. Villagers' rights to be exercised under control of Forest-officer.
6. Payment of nett profits resulting from State-forest-operations.
7. Forfeiture of part of profits for misconduct.
8. No fine to be levied for cattle-trespass on unprotected forest.
9. Power to make rules.

#### *Relinquishment of Land taken up under this Regulation.*

10. Declaration for relinquishing land.
11. Restoration of land disforested.

#### *Restriction of the Right of felling Trees and making Charcoal.*

12. Chief Commissioner may make rules.

#### *Recovery of Fines.*

13. Recovery of fines.

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SCHEDULE A.—FORM OF DECLARATION FOR TAKING UP LAND.

SCHEDULE B.—FORM OF DECLARATION FOR RELINQUISHING LAND.

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[a] This title was given by Notification No. 13, dated 11th October, 1875, in *Gazette of India*, 1875, Pt. I, p. 529.

As to the application of Reg. VI of 1874 to estate commons, see Reg. I of 1892, *infra*, p. 294.



# FORESTS.

## REGULATION No. VI of 1874.

A Regulation to provide for the establishment of State Forests in Ajmere and Merwara, and to prevent the indiscriminate felling of trees and removal of jungle in Merwara.

(Published in the Gazette of India, 1874, Pt. I, p. 618, and in the Rājputana Official Gazette of 2nd January, 1875, p. 2.)

WHEREAS, by a Resolution passed by the Secretary of State in Council Preamble.  
on the sixteenth day of March, 1871, the provisions of the 33rd of Victoria, chapter 3, section 1 [a], were declared applicable to Ajmere and Merwara :

And whereas the Chief Commissioner of Ajmere has proposed to the Governor-General in Council a draft of the following Regulation, together with the reasons for proposing the same :

And whereas the Governor-General in Council has taken such draft and reasons into consideration, and has approved of such draft, and the same has received the Governor-General's assent :

In pursuance of the direction contained in the said section, the said Regulation is now published in the Gazette of India, and will be published in the local Gazette, and will thereupon have the force of law :—

### *Preliminary.*

1. This regulation may be called the Ajmere Forest Regulation, 1874. Short title.
2. In this Regulation, unless there be something repugnant in the subject or context, — Interpretation-clause.

the expression "villagers" includes the members of the proprietary body of any village, and any other persons or class of persons who may, by a written order of the Commissioner, subject to the control of the Chief Commissioner, be declared entitled to the status of villagers under this Regulation ;

the expression "Forest-officer" means any person or persons whom the Chief Commissioner of Ajmere from time to time appoints to exercise the powers and perform the duties hereby conferred and imposed on a Forest-officer ;

and the expression "cattle" includes also elephants, camels, buffaloes, horses, mares, geldings, ponies, colts, fillies, mules, asses, pigs, rams, ewes, sheep, lambs, goats and kids.

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[a] Printed in the Collection of Statutes relating to India, Ed. 1881, Vol. II, p. 878.

## Forests.]

*Taking up of Land under this Regulation.*

3. Whenever it appears to the Chief Commissioner of Ajmere expedient that any tract of waste or hilly land comprised in the area of any village should be taken up by the Government for the purposes of a State-forest, a declaration in the form given in Schedule A hereto annexed, or to the like effect, and describing the land by its boundaries, or otherwise with convenient certainty, shall be published in the local Gazette, and a copy of such declaration in Hindi, together with a written explanation in Hindi of the terms as hereinafter laid down on which the land is taken by the Government, shall be delivered to the lambardars of the village.

4. Such declaration shall be conclusive evidence as to the nature and condition of the land and as to the expediency of taking it up ;

and on its publication in the local Gazette the following consequences shall ensue :—

(a) the proprietary right to the land shall vest in the Crown, and, in lieu of all rights which any person may now have in or to such land, the rights hereinafter in that behalf mentioned shall be reserved to the villagers ;

(b) the Forest-officer may enter and take possession ;

(c) subject to the rules and limitations in the next following section provided, the undermentioned rights over the land may be exercised by the villagers, that is to say—

(i) a right to enter upon the land to cut grass thereon ;

(ii) a right to enter upon the land to cut such wood as is reasonably necessary for their household requirements and agricultural implements ;

(iii) a right to use all such ways of a defined and permanent character over the land as were in use by them at the time the declaration was published and are still adapted for use.

5. The rights vested in the villagers under section 4 shall be exercised subject to the control of the Forest-officer, who may, from time to time, among other things, and subject to an appeal to the Commissioner of Ajmere—

(a) issue written orders, determining the seasons at which grass may be cut and the mode of cutting it, and prohibiting the cutting of it in any part of the land where such cutting would tend to damage the trees there growing ;

## [Forests.]

(b) issue written orders determining the season when, and the place where, wood is to be cut ;

(c) stop any way across the land, and assign another way instead of it, provided that the new way set out by him be a reasonably convenient substitute for the way so stopped.

6. There shall be distributed among and paid to those who, previous to the taking up of the land, were interested therein, the following proportions of the nett profits (if any) from time to time resulting from the State-forest-operations on the land, after deducting all expenses of management, namely, of profits from operations other than the working of mines and quarries—two-thirds ; of profits from the working of the mines and quarries— one-half.

Payment of nett profits resulting from State-forest-operations.

The amount of such profits, the times at which they are payable, the persons entitled to participate in them, the shares claimable by such persons, and the mode of distribution, shall be determined by the said Commissioner subject to the control of the said Chief Commissioner, by a declaration in writing, and such declaration shall be final and conclusive as against all persons concerned.

7. If the members of any village-community, or any other persons entitled to a share of profits under such declaration, have interfered with or obstructed the State-forest-operations, or have not rendered such assistance to the Forest-officer as may be lawfully required of them, the said Chief Commissioner may direct that there shall be withheld from them a sum not exceeding one-half of the profits which would otherwise have accrued to them or to the village-community of which they are members, and such sum shall be withheld accordingly, and shall be credited to the Forest Department.

Forfeiture of part of profits for misconduct.

8. When any land has been taken up for a state-forest under this Regulation, no fine shall be levied in respect of any trespass by cattle thereon until the Forest-officer has efficiently protected that portion in which grazing is prohibited, by fencing, or, with the Commissioner's sanction, demarcated it by conspicuous marks which have been duly notified in the vicinity. But this section shall not apply where cattle have been wilfully caused to trespass by the owner or any person in charge of them.

No fine to be levied for cattle-trespass on unprotected forest.

9. The Chief Commissioner of Ajmere may, by a notification in the local Gazette, make rules consistent with this Regulation for the management and protection of State-forests created under the provisions herein contained, and may, by a similar notification, from time to time alter, add to or rescind such rules. He may, in making any such rule, attach to

Power to make rules.

## Forests.]

the breach of it, in addition to any other consequences that would ensue from such breach, a punishment, on conviction before a Magistrate, of a fine not exceeding, for the first offence, rupees fifty, and for the second or any subsequent offence rupees one hundred.

### *Relinquishment of Land taken up under this Regulation.*

10. Whenever it appears to the said Chief Commissioner that a tract of land taken up under this Regulation is no longer required for the purposes of a State-forest, a declaration in the form given in Schedule B hereto annexed, or to the like effect, and describing the land by its boundaries, or otherwise with convenient certainty, shall be published in the local Gazette, and a copy of the same in Hindi shall be delivered to the lambar-dars of each village within the area of which any portion of such land was originally included.

11. After publishing such declaration, the Commissioner of Ajmere shall, as soon as conveniently may be, proceed to restore the land so disforested to the communities or persons to whom it belonged before it was afforested so far as the change of circumstances will permit, and subject to such charges for works of permanent improvements effected by the Government as to the said Commissioner seems proper.

For this purpose he shall issue an order in writing specifying the communities or persons to whom each portion of the disforested land is to be restored, and their interests therein, and the nature and incidence of the charges thereon. Such order shall be binding and conclusive on all parties concerned.

### *Restriction of the Right of felling Trees and making Charcoal.*

12. The Chief Commissioner of Ajmere may, by a notification in the local Gazette, make rules for the prevention of charcoal-burning and destruction of trees in the vicinity of the State-forests or in other places where these practices may in his opinion be injurious. In issuing such rules due regard will be had to proprietary rights.

### *Recovery of Fines.*

13. The provisions of sections 63 to 70, both inclusive, of the Indian Penal Code, [a] and of sections 386 to 389 of the Code of Criminal Procedure, 1882, [b] shall apply to all fines imposed under this Regulation, or under the rules made in the exercise of the power given by section 9 of the same.

[a] For Act XLV of 1860 see the revised edition, as modified up to 1st August, 1890, published by the Legislative Department.

[b] The reference to Act X of 1872, s. 307, is altered in accordance with Act X of 1882, s. 3 (For Act X of 1882 see the revised edition, as modified up to 15th December, 1888, published by the Legislative Department.)

## SCHEDULE A.

*(See section 3.)*

## FORM OF DECLARATION FOR TAKING UP LAND.

The waste (<sup>or</sup><sub>and</sub>) hilly land below described, being required for the purposes of a State-forest, is hereby, under the orders of the Chief Commissioner, taken up for such purpose, and the present declaration is made and published under the Ajmere Forest Regulation, 1874, section 3.

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## SCHEDULE B.

*(See section 10.)*

## FORM OF DECLARATION FOR RELINQUISHING LAND.

The land below described being no longer required for the purposes of a State-forest, is hereby, under the orders of the Chief Commissioner, relinquished, and the present declaration is made and published under the Ajmere Forest Regulation, 1874, section 10.

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Forests.]

## PRIVATE FORESTS PRESERVATION.

### REGULATION No. I of 1892.

A Regulation for affording the aid of Government in the preservation of woodlands and grazing-grounds, not being State Forests, in Ajmere and Merwara.

*(Received the assent of the Governor-General on the 8th March, 1892, and published in the Gazette of India, 1892, Part I, p. 142.)*

WHEREAS it is desirable in certain cases to provide for the preservation of woodland and waste and grazing land, belonging or assigned to, or allotted for the use of, village and other proprietors in Ajmere and Merwara; It is hereby enacted as follows :—

1. (1) This Regulation may be called the Ajmere and Merwara Private Forests Preservation Regulation, 1892.

(2) It applies to Ajmere and Merwara, and shall come into force on the first day of April, 1892.

### CHAPTER I.

#### DEFINITIONS.

2. In this Regulation and in the rules made thereunder, unless there is something repugnant in the subject or context—

“ tree ” includes palms, bamboos, stumps and brushwood :

“ estate common ” means all waste, village-forest, grazing-ground or other similar land being the property of any village-owner or estate-holder, or included as part of any village or estate at the last land-revenue settlement, or assigned or permanently allotted to any village or estate by whatever name

## [Forests.]

it may be locally known or described. Every estate-common so owned, assigned or included or allotted is said to "belong" to such estate or village; and every person entitled to the beneficial use or enjoyment of such land in any village or estate is called a "commoner":

a "majority of commoners" means in the case of proprietors who pay land-revenue, or who would pay land-revenue but for an assignment of the same, such number as together pay (or would pay) three-fifths of the total assessment on the estate or village; and, in the case of tenants under an immediate proprietor other than the Government, it means such number as together hold more than half the total area of cultivated land.

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## CHAPTER II.

### PROTECTION OF ESTATE-COMMONS.

3. The Local Government, on the application, through the Collector, of the sole proprietor or a majority of the commoners of any estate-common, may, by notification in the local official Gazette, apply thereto or to any portion thereof all or any of the provisions of the Ajmere Forest Regulation, 1874, for the protection of State forests; and may at any time cancel any such notification.

Power to  
apply Regu-  
lation VI  
of 1874  
to estate-  
commons.

4. The sole proprietor or a majority of the commoners of an estate-common or portion of an estate-common under such protection as aforesaid may nominate or elect, subject to the approval of the Collector, any person to be the Forest-officer in charge thereof, and such officer may be invested by the Local Government with all or any of the powers of a Forest-officer under the Ajmere Forest Regulation, 1874, subject to such control as it may think fit.

Nomination  
or election  
of Forest-  
officer.

5. The Local Government may, on the application, through the Collector, of the sole proprietor or a majority of the commoners of any estate-common not under such protection as aforesaid, by notification in the local official Gazette, make rules for the preservation of all or any of the trees growing on such estate-common or any part thereof, and may in like manner direct that the breach of any such rule shall be punishable with fine, which may extend to fifty rupees.

Power to  
make rules.

Forests.]

NOTIFICATION.

*Camp Ajmere, 2nd March 1878.*

[<sup>a</sup>] No. 441 S.—Under Section 2 of the Forest Regulation of Ajmere and Merwara, the Offg. Chief Commissioner is pleased to appoint the Assistant Commissioners of Ajmere and Merwara, to be Forest Officers, in their respective jurisdictions.

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<sup>a</sup>] Rajputana Official Gazette, 16th March, 1878.

## FOREST BYE-LAWS. [a]

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UNDER SECTION 9 OF THE AJMERE FOREST REGULATION I  
OF 1874.

*Sanctioned by the Chief Commissioner in his Secretary's letter No. 1505S,  
dated 4th June 1875.*

I.—The limits of all State Forests shall be indicated by conspicuous boundaries. The pillars shall be erected and maintained by the Forest Department. Village boundary pillars falling within the limits of any State Forests shall be maintained as formerly by the Villagers.

II.—*Acts prohibited in State Forests.* (1)—The following acts are prohibited:—

- (a) Breaking up waste land for cultivation without permission of the Forest Officer.
- (b) Setting fire to grass or negligently permitting fire to extend to a State Forest.
- (c) Setting fire to brushwood, trees, or stumps of trees.
- (d) Lopping, breaking, or otherwise injuring growing trees or bushes.
- (e) Removing soil or dead leaves from under trees.
- (f) Selling standing trees.
- (g) Cutting young trees under any circumstances.
- (h) Collecting fallen wood of any kind without permission of the Forest Officer.
- (i) Collecting gums, resins, honey, wax, or other minor Forest produce.
- (j) Carrying, or kindling fire.
- (k) Carrying any implement to cut wood, except when it is carried in pursuance of a permit to cut wood.
- (l) Digging or quarrying for stones, lime, or kunker without permit.
- (m) Grazing cattle without permit.
- (n) Cutting grass otherwise than is provided for in Section 5 of the Forest Regulation.

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[a] Published in the Rajputana Official Gazette of 19th June 1875.

## Forests.]

(2) Any person who shall commit a breach of this rule shall be punished, on conviction before a Magistrate, with a fine not exceeding, for the first offence, Rs. 50, and for the second or any subsequent offence, Rs. 100; this punishment is to be in addition to any other consequences that would ensue from such breach.

[<sup>a</sup>](3) Any Forest Officer, not below the rank of an Assistant Conservator of Forests, or in charge of a division, may accept from any person, against whom a reasonable suspicion exists that he has committed a breach of any of the foregoing rules, a sum of money not exceeding Rs. 5 by way of compensation for any damage which has been committed, and may release any property, which has been seized as liable to confiscation, on payment of the value thereof as estimated by such officer.

On the payment of such sum of money, or such value or both, as the case may be, to such officer, the accused person, if in custody, shall be discharged, the property seized shall be released, and no further proceedings shall be taken under these Rules against such person or property. [<sup>a</sup>]

III.—*Responsibilities of Zemindars.*—It shall be the duty of all Zemindars, whose habitation is not more than three miles from the State Forest, to render aid in extinguishing Forest fires.

IV.—The Zemindars of any village within three miles of a State Forest are individually and collectively responsible for rendering aid towards preventing or extinguishing fires in a State Forest.

V.—If any person, whose duty it is under Rules III and IV to render aid in preventing, or extinguishing Forest fires, refuses or neglects to render reasonable aid on being required to do so by a Forest Officer, the person shall be liable on conviction before a Magistrate of the first or second class, to a fine not exceeding for the first offence Rs. 50, and for the second or any subsequent offence Rs. 100.

VI.—*Powers of Forest Department.*—Forest Officers not below the rank of Jemadar shall have the power to confiscate any wood-cutting instruments carried by any person within these Forests, unless it is carried in pursuance of a permit to cut wood.

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[<sup>a</sup>] Inserted by Notification No. 2225S, dated 3rd September 1883, *Gazette of India*, dated 15th September 1883, Pt. II, p. 497 and Notification No. 3817S, dated 18th October 1889.

[<sup>a</sup>] VII.—Any Forest official may arrest any person found in the act of doing any of the things prohibited under Rule II (except under Clause (a)), and produce him before the officer in charge of Forests who may compound the case, or direct a criminal prosecution before a Magistrate.

Provided that the person arrested shall be released, if he is known to be a resident of any village in the District, who is not likely to abscond, or if he furnish reasonable security (not exceeding Rs. 50) for his re-appearance, when called upon to answer the charge made against him.

Provided also that in the absence of the Assistant Conservator, or Divisional Officer [<sup>b</sup>] the person arrested shall be conducted without delay before the nearest Magistrate, who may pass such orders as he thinks fit.

[<sup>c</sup>] VIII.—All articles confiscated shall be made over for disposal to the Assistant Commissioner.

IX.—*Cattle Trespass*.—All cattle found straying or unlawfully grazing in any State Forest may be seized by any Forest official, and when so seized shall be driven forthwith to the nearest pound.

(a.) When a right of way through the State Forest is maintained, it shall be held to protect from seizure all cattle lawfully driven along the road or tract indicated, even though they stray into the Forest, so long as the driver uses reasonable diligence to prevent them from straying, and to drive back such as stray.

X.—*Revenue*.—(a.) The revenue from State Forests shall be divided in proportion to the area of land belonging to each village in the tract, entitled to share under Section 6 of the Regulation, and irrespective of where wood or other produce may have been cut or obtained.

(b.) The Forest Department shall, from time to time, remit the sums due to the Zemindars to the Assistant Commissioner (through the Commissioner) who shall specify the amount due to each village.

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[a] This Bye-Law was substituted for the original Bye-Law by Chief Commissioner's Notification No. 1608S, dated 23rd June 1886, (printed at page 404, Part II of *Gazette of India*, dated 3rd July 1886.)

These alterations came into force with effect from 15th July 1886.

[b] Notification No. 3817S, dated 18th October 1889, *Gazette of India* for 1889, Pt. II, p. 575.

[c] The original Rule VIII was cancelled and the Rules IX to XIII were made to run from VIII to XII by Notification No. 1608S, dated 23rd June 1886. See *Gazette of India*, Pt. II for 1886, p. 404.

## Forests.]

[<sup>a</sup>]XI.—For the purposes of the Ajmere-Merwara Forest Working Plan, the Reserved Forests of those Districts shall be divided into two Working Circles:—

	Area in Acres.
A.—Fuel Circle (19 Reserves)	29,821
B.—Grazing Circle (5 Reserves)	58,753
Total	88,574

2. The following Reserves are comprised in each Circle :—

## GRAZING CIRCLE.

A. *Ajmere District.*

*Nil.*

B. *Merwara District.*

	Acres.
(1) Beliawas ..	3,236
(2) Amner ...	4,088
(3) Banjari-Mandlan ...	4,621
(4) Todgarh ...	33,842
(5) Dewair ...	12,966

Total...58,753

## FUEL CIRCLE.

A.—*Ajmere District.*

	Acres.
(1) Mohwabir ...	1,836
(2) Madar Hill ...	851
(3) Makarwali Hokran ...	2,675
(4) Nag Pahar ...	2,479
(5) Taragarh Valley ...	1,203
(6) Srinagar ...	3,623
(7) Danta ...	1,429
(8) Rajosi ...	1,303
(9) Rujgarh ...	2,199

Total Ajmere... 17,598

B.—*Merwara District.*

	Acres.
(10) Dilwara ...	232
(11) Chang Gate ...	49
(12) Jalia ...	37
(13) Bulad ...	13
(14) Chang ...	2,918
(15) Borwar ...	2,401
(16) Kotra ...	1,726
(17) Siliberi ...	520
(18) Sheopura ...	2,747
(19) Anspahar...	1,580

Total Merwara... 12,223

Grand Total... 29,821

NOTE.—There are no Grazing Reserves in Ajmere, though grazing is allowed in parts of certain Fuel Reserves in Ajmere (See Rule 5.)

3. Grazing is allowed until further orders, in the Reserves named above, (1) on payment or (2) free, subject to the following rules:—

## GRAZING IN THE FUEL CIRCLE.

4. No grazing will be allowed *on payment* in any Reserve in the Fuel Circle on payment. in ordinary years. In years of scarcity grazing on payment may be permitted with the previous sanction of the Chief Commissioner.

[<sup>a</sup>] This rule was substituted for the original rule XI by Chief Commissioner's Notification No. 3046S, dated 5th November 1894,—*Gazette of India*, Part II, dated 10th November 1894, p. 1051, and is subject to the approval of the Government of India.

5. The following rights of *Free Grazing* exist in this Circle:—A.—*Ajmere District.*

*Note.*—(1) The figures are based on the generally accepted scale by which one head of cattle is allowed for every three acres of land when grazing is permitted throughout the entire year. The grazing area is defined by a stone wall and by 54 boundary pillars, all serially numbered.

(2) The term *cattle* here and elsewhere excludes camels, sheep, and goats.

(3.) The number of cattle, formerly not stated, has now been fixed. The period of grazing has been reduced by four months.

(b) In the *Rajgarh* Reserve the inhabitants of Mayapur, Naharpura and Kothaj are entitled to graze 330 head of cattle in the following areas, which were originally taken up from those villages respectively, from 1st March to the beginning of the rains:—

\**Note.*—Here the number of cattle slightly exceeds the acreage. But as these figures were entered in the Register of Rights by the Settlement Officer, it has not been thought desirable to alter them. The period of grazing has been reduced by one month.

	Area taken up from each village. Acres.	No. of cattle entitled to graze.
Mayapur ... ..	106	140
Naharpura ... ..	93	90
Kothaj ... ..	110	100
Total	309	330*

B.—*Merwara District.*

In the Sheopura Reserve the inhabitants of Jaita-ka-baria (a hamlet of Athun situated within forest limits) are permitted to graze throughout the year, 20 head of cattle, including calves over one year old. One area of 60 acres has now been marked off round the hamlet, and a second area of the same size will be marked off after a period of 10 years has expired.

## GRAZING IN THE GRAZING CIRCLE.

*On Payment.*

- \* 1. Beliawas.  
2. Amner.  
3. Banjari-Mandlan.  
4. Todgarh.  
5. Dewair.

6. The five<sup>3</sup> forests situated in this Circle will be opened for grazing, on payment, for the four months from the 1st march to the beginning of the rains every year.

## 7. The following Grazing rates will be charged:—

	Per Cow. annas.	Per Buffalo. annas.
From Non-right-holders full rates.. ..	4	8
From <sup>a</sup> Right-holders Half rates.. ..	2	4

\**Note.*—The names of the Right-holders in each village are registered; they are the original proprietors. The number of the Non-right-holders is not known.

8. The villages entered in the following table may graze their cattle of *rights* in each reserve, as shewn below. The maximum number of cattle of each village which may graze is also entered. The rates are those given in Rule 7.

\* *NOTE.*—From Mr. Coventry's reports it would appear that he was at first of opinion that annual grazing might be allowed in the Kotia Reserve also, and the Assistant Commissioner inclines to this view. But no complaints of exclusion have yet been received, and for the present at least grazing may be prohibited in accordance with the views of the Extra-Assistant Conservator of Forests,



## Forests.]

The period of grazing is from the 1st March till the rains break:—

	Name of Reserve.	Names of villages.	* Area assigned to each village. Acres.	Maximum No. of cattle of each vil- lage to be admitted.
* NOTE.—This is the area taken up from each village at the outset when the Reserves were formed.	Beliawas.	... (1) Beliawas	... 1,383	1,383
	Total area	(2) Soniana	... 464	464
	3,236 acres	... (3) Rudhana	... 1,200	1,200
		(4) Taragarh	... 111	111
		(5) Dadalia	... 78	78
			<hr/> 3,236	<hr/> 3,236
			<hr/>	<hr/>
	Amner.	... (1) Kukra	... 950	950
	Total area	(2) Naloi-Lulpura	... 1,423	1,423
	4,088 acres	... (3) Ghata	... 80	80
		(4) Ajitgarh	... 481	481
		(5) Amner	... 847	847
		(6) Tibana	... 102	102
		(7) Nadnot	... 101	101
		(8) Dhoti	... 104	104
			<hr/> 4,088	<hr/> 4,088
			<hr/>	<hr/>
* Thok Kanab only.	Banjari-	... (1) Todgarh*	... 462	462
	Mandlan.	... (2) Berar	... 326	326
	Total area	... (3) Dauserian	... 903	903
	4,621 acres	... (4) Mandlan	... 1,374	1,374
		(5) Negarian	... 168	168
		(6) Ranathan	... 108	108
		(7) Banjari	... 950	950
		(8) Mewasa	... 138	138
		(9) Palri	... 119	119
		(10) Balacharat	... 38	38
		(Disputed)	... 35	
			<hr/> 4,621	<hr/> 4,586
			<hr/>	<hr/>

## [Forests.]

## A. RIGHT-HOLDERS.

Name of Reserve.	Names of villages.	Area assigned to each village.	Maximum No. of cattle of each village to be admitted.
		Acres.	
Todgarh. ...	(1) Bagri ...	2,558	2,558
Total area	(2) Velpana ...	2,978	2,978
33,842 acres ...	(3) Sirman ...	2,704	2,704
	(4) Khormal and Rampura ...	334	334
	(5) Charpalan ...	1,443	1,443
	(6) Ramenhera ...	397	397
	(7) Baghmal ...	8,537	8,537
	(8) Satukhera ...	3,123	3,123
	(9) Ganeshpura ...	70	70
	(10) Merian ...	2,367	2,367
	(11) Baraswara ...	5,418	5,418
	(12) Mandawar ...	735	735
	(13) Kachbali ...	2,322	2,322
	(14) Pipli ...	438	438
	(Disputed area)	418	
		<u>33,842</u>	<u>†33,424</u>

† NOTE.—The number of cattle belonging to each village is in some instances smaller than the figure entered; in others it is larger. But no objections will be raised provided that the total number of cattle sent by the villages to graze does not exceed the total number of 33,424 head allowed in the Reserve.

\*NOTE.—These villages have no original proprietary rights in the forest land. They own very few cattle, and are practically allowed to graze as many head as they please. They assist in putting out fires, and receive one ticket per house for cutting grass.

## • B. NON-RIGHT-HOLDERS.

	(15) Kirana.		
	(16) Pithakhera.		
	(17) Rupnagar		
	(18) Barakhan.		
	(19) Kakrod.		
	(20) Asan.		
	(21) Deolatan.		
	(22) Barakhera.		
	(23) Gogela.		
	(24) Dholadanta.		
	(25) Roriana.		
		Acres.	
Dewair. ...	(1) Khemagudha ...	488	488
Total area	(2) Dabjor ...	302	302
12,966 acres ...	(3) Antali ...	180	180
	(4) Kaniana ...	501	501
	(5) Motagudha ...	277	277
	(6) Baghana ...	1,746	1,746
	(7) Bhairagudha ...		
	(8) Chaplian ...	5,108	5,108
	(9) Dewair ...	2,703	2,703
	(10) Piprelu ...	1,607	1,607
	(11) Khera-Jessa ...	54	54
		<u>12,966</u>	<u>12,966</u>

## Forests.]

NOTE.—Three Reserves in question are sufficiently extensive to allow of this concession. The number of cattle grazing in them at present is far short of the maximum number which can be safely admitted.

9. In years of scarcity the cattle of the villages entitled to graze in the Amner and Banjari-Mandlan Reserves (of which the area is limited) will be allowed to graze in any of the three other Reserves, viz., Beliawas, Todgarh, and Dewair, subject to the maximum number of cattle noted above as admissible in each of those three Reserves respectively.

10. In the Todgarh Reserve all areas brought under fuel coppice shall be closed to grazing for a period of 10 years.

(11) (a)—*Free grazing for part of the year.*

(1.) In the Amner Reserve the inhabitants of Amner\* and Ajitgarh villages

### FREE GRAZING.

\*Note.—Up to the present time, 344 head of cattle, viz., Amner 177 and Ajitgarh 167 have been admitted into this limited area of 199 acres from December until the rains. The number, as well as the period were obviously in excess of the capacity of the area. They have accordingly been reduced, and the dates have been altered to avoid clashing with the period of *grazing on payment* which begins on 1st March. The respective number of cattle which each village may send is subject to reconsideration. The Record of Rights left both area and number of cattle undefined, and fixed the period from 15th December to the rains each year. If the present proposals press hardly on the people, they may require modification. But the recognition of annual grazing *on payment* is a substantial concession.

will be allowed to graze 200 cattle free over an area of 199 acres on the eastern slope of the range (which lies between the old boundary along the ridge and the line of the new boundary pillars along the base) for the period

of four months from 1st November to 28th February:—

					Area assigned to grazing. Acres.	Number of cattle.
Amner	...	...	...	...	117	117
Ajitgarh	...	...	...	...	82	82
					<hr/> 199	<hr/> 199

(2) \*In the Todgarh Reserve the inhabitants of Todgarh village (*thok mala* only) will be permitted to

\*This rule embodies a promise made when the Todgarh Reserve was extended in 1890. The area called "Bijasar" has been ascertained as containing 85 acres. The reasons for dates and numbers are the same as those given above. graze 85 head of cattle in an area of 85 acres known as the "Bijasar tract" from the 1st November to 28th February.

## [Forests.]

(b) *Free Grazing during the whole year.*

Free grazing during the whole year will be allowed to the inhabitants of certain hamlets situated within the following Reserves:—

Name of Reserve.	Name of Hamlet.	(1) Number of persons entitled to graze.	(1) Number of cattle.	(2) Number of acres assigned for grazing.
Beliawas	Motalia	4	42	126
Banjari-Mandlan	Bari-ka-Chavra	4	70	210
Todgarh	(1) Jaspalan	3	33	99
	(2) Modia	18	320	960
	(3) Alanjeryan	13	280	840
	(4) Sarupan	12	150	450
	(5) Boyankhet	2	10	30

1. \*Note.—The figures entered in these columns are those given in the Settlement Record prepared by Mr. Whiteway.

2. \*The figures in this column are based on the scale of one head of cattle to every three acres of land. The areas will now be marked.

The names of the persons thus privileged to graze their cattle during the whole year and the number of cattle allotted to each person, as shewn above have been entered in the Record of Forest Rights.

12. The number of cattle admitted shall in no case exceed that allotted to each person. Calves less than 12 months old are not included in that number, that is, they will be admitted in excess.

13. An area equal to the acreage assigned for grazing in rule 11 (b) above will be marked off round each hamlet named, and grazing will be restricted to that area for a period of 10 years. It will then be closed, and a second area of the same size will be thrown open for the next 10 years.

## GENERAL RULES.

14. No grazing shall be allowed for a period of at least three years in any part of a Forest where a fire has taken place.

15. The period during which grass-cutting is allowed will be extended as shewn below:—

## PRESENT RULE.

*Ajmere*.—For six weeks from a date commencing seven days after the close of the Pushkar Fair. This date varies from year to year, but usually falls in the month of November.

*Merwara*.—Four months, viz., from 1st November to 1st March.

## NEW RULE.

For eight weeks from a date commencing seven days after the close of the Pushkar Fair.

$4\frac{1}{2}$  months, viz., from 15th October to 28th February.

## DECLARATIONS.

*"Rajputana Official Gazette," 24th April 1875.*

The waste and hilly lands below described being required for the purposes of State Forests are hereby, under the orders of the Chief Commissioner, taken up for such purposes and the present declaration is made and published under the Ajmere Forest Regulation, 1874, Section 3.

## 1. CHANG TRACT, FOREST No. 1.

A tract of land comprising an area of about 2,341 acres demarcated by boundaries set up by the Forest Department and belonging, according to a map prepared in the Settlement Department, to the villages of Amurpoora, Saidra, Kuranta, Chang, Manpoora, Kanpura, and Sabulpoora, in the District of Ajmere and Mervara.

This tract is bounded on the north by lands belonging to the village of Chang; on the east by land belonging to the villages of Chang, Amurpoora, Sabulpoora, Manpoora, and Kuranta; on the south by lands belonging to the village of Saidra; and on the west by lands belonging to the villages of Kanpura, Chheetar and Chang.

## 2. SHEOPURA TRACT, FOREST No. 2.

A tract of land comprising an area of about 1,920 acres demarcated by boundaries set up by the Forest Department and belonging, according to a map prepared in the Settlement Department, to the villages of Borwa, Huttoon, Shekawas, Omur Baoree and Rajor in the District of Ajmere and Mervara.

This tract is bounded on the north by lands belonging to the village of Sheopora; on the east by lands belonging to the villages of Rajor, Ruttopara, Borwa, Omur Baoree and Shekawas; on the south by lands belonging to the villages of Huttoon, Borwa and Rajor.

## 3. BELIAWAS TRACT, FOREST No. 3.

A tract of land comprising an area of about 3,172 acres demarcated by boundaries set up by the Forest Department and belonging, according to a map prepared in the Settlement Department, to the villages of Keddiana, Taragurh, Sooniana, Belias and Dudola in the District of Ajmere and Mervara.

16. Grazing on payment will only be allowed under a pass stating the number of cattle to be admitted, the rates charged, and the period of grazing. The colour of the pass will be changed each year.
17. Application must be made to the Forest Officer by the Lumberdar or Patel of the village fifteen days before the date on which the grazing is required. The application must include a list of the cattle (cows and buffaloes being entered separately) for which a pass is desired. Any cattle found grazing in excess of those specified in the pass will be charged at double the ordinary grazing rates.
18. The owners of cultivated lands within the boundaries of State Forests shall only be entitled to pass into Forest limits such cattle as are *bona fide* required for ploughing or other agricultural purposes.

[“]XII.—All fines levied under the Forest Law or Rules shall be credited to the ‘Forest Revenue’ or to ‘Law and Justice’ in accordance with the provisions of Section 116 of the Forest Department Code, 4th edition.

## NOTIFICATION.

*Dated Mount Abu, the 1st April, 1879.*

No. 813<sup>A</sup>.—In exercise of the powers conferred by the Resolution of the Government of India in the Home Department (Judicial) No. 23-1411-23, dated Simla, the 15th October, 1878, the Chief Commissioner of Ajmere-Merwara is pleased to declare the following limits within which the Forest Officers in Ajmere and Merwara may execute contracts and other instruments in matters connected with the administration of Forests and with the business of the Forest Department generally:—

- |      |  |                             |
|------|--|-----------------------------|
| (1.) | Commissioner and Conservator of Forests                  | To the extent of Rs. 2,000. |
| (2.) | Assistant Commissioner and Deputy Conservator of Forests | Rs. 500.                    |
| (3.) | Sub-Assistant Conservator                                | Rs. 50.                     |

BY ORDER.

H. Y. MURRAY, Major,

*Offg. Secy. to Chief Commissioner in the*

*P. W. D., Rajputana.*

## DECLARATIONS.

*"Rajputana Official Gazette," 24th April 1875.*

The waste and hilly lands below described being required for the purposes of State Forests are hereby, under the orders of the Chief Commissioner, taken up for such purposes and the present declaration is made and published under the Ajmere Forest Regulation, 1874, Section 3.

## 1. CHANG TRACT, FOREST NO. 1.

A tract of land comprising an area of about 2,341 acres demarcated by boundaries set up by the Forest Department and belonging, according to a map prepared in the Settlement Department, to the villages of Amurpoora, Saidra, Kuranta, Chang, Manpoora, Kanpura, and Sabulpoora, in the District of Ajmere and Merwara.

This tract is bounded on the north by lands belonging to the village of Chang; on the east by land belonging to the villages of Chang, Amurpoora, Sabulpoora, Manpoora, and Kuranta; on the south by lands belonging to the village of Saidra; and on the west by lands belonging to the villages of Kanpura, Chheetar and Chang.

## 2. SHEOPURA TRACT, FOREST NO. 2.

A tract of land comprising an area of about 1,920 acres demarcated by boundaries set up by the Forest Department and belonging, according to a map prepared in the Settlement Department, to the villages of Borwa, Huttoon, Shekawas, Omur Baoree and Rajor in the District of Ajmere and Merwara.

This tract is bounded on the north by lands belonging to the village of Sheopora; on the east by lands belonging to the villages of Rajor, Ruttopara, Borwa, Omur Baoree and Shekawas; on the south by lands belonging to the villages of Huttoon, Borwa and Rajor.

## 3. BELAWAS TRACT, FOREST NO. 3.

A tract of land comprising an area of about 2,172 acres demarcated by boundaries set up by the Forest Department and belonging, according to a map prepared in the Settlement Department, to the villages of Kedhana, Taragurh, Sooniana, Belawas and Dudola in the District of Ajmere and Merwara.

The tract is bounded on the north and north-west by lands belonging to the villages Beliawas and Sooniana; on the east and south by lands belonging to Beliawas and Bednor territory, and on the south-west and west by lands, belonging to the villages of Kookra, Doodala, Taragurh, Roodhana and Sooniana.

#### 4. TODDURH TRACT, FOREST No. 4.

That tract of land shown in a map prepared by the Settlement Department, belonging to the villages of Bugree, Balphuna, Churpan, Kborral, Seerma, Bamunhera, Bagmal, Guneshpura, Satookpura, Mairan, Bursawara, Mundawa, Kach Bullee and Peeplee, lying within the boundary pillars and comprising an area of about 40,048 acres more or less.

This tract is bounded on the north by lands belonging to the village of Bugree and by the Marwar territory, on the east by lands belonging to the villages of Bugree, Belpuna, Seerma, Kormal, Bamunhera, Dewul, Dutt-tehpur, Bagmal, Guneshpura, Satookhera, Dholu Danta, Mairan Doodalia, Bursawara, Mundawar, Kach Bullee and Peeplee; on the south by lands belonging to the village of Peeplee, and on the west by Marwar territory from Peeplee to near the village of Churpan, the village boundary line between Churpan, Bamunhera, Kborral and Seerma, afterwards by the boundary line of Marwar Territory and excluding the villages of Churpan, Googarail and Doodalia.

*"Rayputana Official Gazette," 10th June 1876.*  
FOREST WASTE LANDS, AJMERE.

The waste and hilly lands below described required for the purpose of State Forests are hereby under the orders of the Chief Commissioner taken up for such purposes and the present declaration is made and published under the Ajmere Forest Regulation 1874, section 3.

#### No. 1.—DILWARRA BEER.

A tract of land comprising an area of about 181 acres demarcated permanently by the Forest Department by means of a trench on all sides and by 56 stone boundary pillars bearing serial numbers.

The tract is bounded on the north from boundary pillar No. 56 to No. 7 by the lands of the village of Dilwarra; on the east from boundary pillar No. 7 to No. 20 by lands belonging to the village of Dilwarra and Gудdee; on the south from boundary pillar No. 20 to 23 by the district road from Bearwar to Masuda; on the west from boundary pillar No. 23 to 56 by the fields of Ram Lal Burar, Sajhee Seth, Kanwar Ram Singh and Gunna.



[Forests.]

## No. 2.—CHANG GATE BEER.

A tract of land comprising an area of about 54 acres demarcated permanently by the Forest Department by means of 28 stone boundary pillars bearing serial numbers.

The tract is bounded on the north by a portion of the Station or Circular road and the compound of the Overseer's Bungalow, Irrigation Division; on the east from boundary pillar No. 1 to 20 by cultivated fields belonging to Teiles and other inhabitants of Bearwar, also from boundary pillar No. 20 to 21 by a portion of the road going from Bearwar to Purwassee; on the west from boundary pillar No. 21 to Overseer's Bungalow by the Circular or Station road and including the plot of land known as Futtehputr Bagh and excluding a patch of ground occupied by lime-burners.

## No. 3.—TARAGARH TRACT, AJMERE.

A tract of land comprising an area of about 1,016 acres and including three valleys known as Noorchushma, Baree Nal and Emlee Koon, the limits of which are in some places defined by the old fortifications of Taragarh and in others by a line of 27 boundary pillars situated on the watershed of the hill ranges.

This tract is bounded on the north by the old wall of Taragarh Fort which separates the reserved tract from the valley of Indurkote; on the west by the old fortifications situated on the ridge of the hill and a line of 6 boundary pillars up to the boundary of the village of Doomara; on the south by the lands of the village of Doomara from which it is separated by 3 boundary pillars; on the east by the line of fortifications of Taragarh and 10 boundary pillars separating the reserved tract from the grazing lands of the villages of Sonnipore, Ajmere Kusba, Doomara, and the tract of land belonging to the Ajmere Mission.

( "Rajputana Official Gazette," 26th June 1875.)

The waste and hilly lands below described being required for the purpose of State Forests are hereby, under the orders of the Chief Commissioner, taken up for such purposes and the present declaration is made and published under the Ajmere Forests Regulation, 1874, section 3.

## NO. 2.—NAGH PAHAR TRACT.

A tract of land comprising an area of about 2,660 acres and belonging to the Nuzool Fund and to the villages of Kotra, Hatee Kherra and Leela Saoree, also including the Pohkur and Nazool Baghs and all other scattered trees situated within the boundaries described below.

This tract is bounded on the north by the wall of the old Nagh Pahar Fort and by a line laid down on the Settlement Map stretching from the corner of the bastion near the gate called Lakhmi Pol down to the base of the hill; on the east by a line of 26 boundary pillars set up by the Forest Department, running along the base of the hill and entered on the Settlement Map; on the south by a line of boundary pillars separating the Nagh Pahar from the village lands of Kurekree and Pushkur, and on the west by the base of the Nagh Pahar as laid down in the Settlement Map, including the Pushkur Bagh, the village lands of Leela Saoree, part of which is demarcated by 5 stone pillars, and excluding the lands of Mama Deo, Jumni Kund, Pushkur Kund, and Gau Mookb, all situated to the west of Nagh Pahar.

"*Rajputana Official Gazette*," 5th August 1876.

No. 1961S, dated 25th July 1876.—The waste and hilly land below described being required for the purpose of State Forests, is hereby, under the orders of the Chief Commissioner, taken up for such purposes, and the present declaration is made, and published under the Ajmere Forest Regulation, 1874, Section 3, in supersession of the previous Declaration published in the "*Rajputana Official Gazette*," dated 26th June 1875.

## SRINAGAR AND BEER TRACT.

A tract of land comprising an area of about 3,575 acres and demarcated by means of 148 stone boundary pillars set up by the Forest Department, and belonging to the villages of Srinagar, Burla, Palran, Béer, and Goodah, all situated in the District of Ajmere.

This tract is bounded on the north by lands belonging to the village of Srinagar, on the east by lands belonging to the Srinagar and the Srinagar road; on the south by lands belonging to the villages of Beer and Palran; and on the west by lands belonging to the villages of Palran, Burla, Srinagar and Goodah.

[Forests:

(" *Rajputana Official Gazette*," 19th August 1876.)

No. 2114S.—The waste and hilly lands below described being required for the purposes of a State Forest, under the orders of the Chief Commissioner, taken up for such purposes and the present declaration is made and published under the Ajmere Forest Regulation, 1874, Section 3.

#### MOWA BEEH AND MADAR HILL TRACT.

A tract of land comprising an area of about 2,812 acres, demarcated by means of two sets of boundary pillars set up by the Forest Department and excluding the Mowwa and Meer Sha Allee gardens, also the lands, called Mendee Kholia and Nazur Allee-kee-Nal.

The proprietary rights to the land included in this tract are vested in the Kusba of Ajmere, the Nazool Fund and the villages of Lohagui, Choraseawas, Kankarda, Googra and Madarpooora.

This tract is bounded on the north by lands belonging to the villages of Lohagui, Googra, Kankarda, and the Kishengurh road; on the east by lands belonging to the villages of Madarpooora and the Kusba of Ajmere; on the south by the ridge of the Madar Hill from the Madar Temple as far as the Meer Shah Allee garden, the Kishengurh and Circular roads, Nazur Allee-kee-Nal and the Lohagui road; on the east by lands belonging to Dhun Roop Nazir, the Kusba of Ajmere and the village of Choraseawas.

" *Rajputana Official Gazette*," 9th December 1876.

No. 2839S, dated 7th November 1876.—The waste and hilly lands below described being required for the purposes of State Forests are hereby, under the orders of the Chief Commissioner, taken up for such purposes and the present declaration is made and published under the Ajmere Forest Regulation, 1874, Section 3.

#### RAJOSHE TRACT, AJMERE.

A tract of land comprising an area of about 1,260 acres demarcated by means of 47 boundary pillars set up by the Forest Department, and extending from the Ajmere and Nusseerabad road to a point near the village of Rajoshee.

This tract is bounded on the north from boundary pillar No. 1 to 4 by lands belonging to the village of Danta; on the east, from boundary pillar

No. 4 to 18, by lands belonging to the village of Jataya, Baloonta and Rajosee; on the south from boundary pillar No. 18 to 26 by lands belonging to the village of Rajosee; and on the west from boundary pillar No. 26 to boundary pillar No. 1 by lands belonging to the villages of Rajosee, Khwai-pura, Makhupura and Danta.

No. 2.—BORWAN AND KOTRA TRACT, MERWARA DISTRICT.

A tract of land comprising an area of about 3,923 acres and demarcated by means of two sets of boundary pillars set up by the Forest Department.

This tract is bounded on the north by the lands belonging to the villages of Doolya, Koorantya; on the east by lands belonging to the villages of Barria Loomba, Kotra and Koondal; on the south by the lands of Koondal and the Marwar boundary; and on the west by the lands of the villages of Sele Bairae, Barya Mota, Barya Ojba and Doolya.

No. 3.—ANS PAHAR TRACT, MERWARA DISTRICT.

A tract of land comprising an area of about 1,466 acres and demarcated by means of 31 boundary pillars, set up by the Forest Department.

This tract is bounded on the north by the lands belonging to the village of Bar; on the east by the Bednor Territory; on the south by the village lands of Beliawas; and on the west by the village lands of Beliawas, Bar-Kochran, Saroth, Doongar Khera, Sheopora, Jeynagar and Bar.

*"Rajputana Official Gazette," 3rd July 1880.*

No. 1656S, dated 24th June 1880.—The waste and hilly lands below described being required for the purposes of State Forests are hereby, under the orders of the Chief Commissioner, Ajmere and Merwara, taken up for such purposes and the present declaration is made and published under the Ajmere Forest Regulation, 1874, Section 3.

DEWAR FOREST TRACT, MERWARA.

A tract of land comprising an area of about 12,203 acres, demarcated by boundaries set up by the Forest Department and belonging to a map prepared in the Settlement Department, to the villages of Baghana, Gudhe Mota, Kaniara, Autali, Gudhe Khema, Dabjar, Chapalian, Dewair, Khera Jassa and Piprelu.

[Forests.

This tract is bounded on the north by lands belonging to the villages of Gudhe Mota, Kaniana, Antali and Dabjar; on the west by the boundary line of Marwar and Merwara; on the east by lands of Chapahian village; and on the south by lands belonging to the villages of Khara-Jassa and Piprehu.

"*Rajputana Official Gazette*," 17th July 1880.

No. 1798S, dated 6th July 1880.—The waste land below described forming the catchment of the Danta reservoir which it is required to acquire on military and sanitary grounds, and which, with the purpose of keeping it free of cattle and the reservoir free from pollution, it is intended to take up for the purposes of a State Forest, is hereby, under the orders of the Chief Commissioner, taken up for such purposes and the present declaration is made and published under the Ajmere Forest Regulation, 1874, Section 3.

#### DANTA TRACT, AJMERE.

A tract of land comprising an area of 1,244 acres, 3 poles, demarcated by boundaries set up by the Public Works Department and belonging, according to a map prepared by the Executive Engineer, Nasirabad Division, to the villages of Danta and Bir.

The tract is bounded on the north by lands belonging to the village of Bir, on the east by Danta, on the south by boundaries of Rajossee Tract and Danta villages, and on the west by Alakhapura and Sedarya.

DECLARATIONS.<sup>[a]</sup>

The waste and hilly lands below described being required for the purposes of a State Forest, are hereby, under the orders of the Chief Commissioner, taken up for such purposes, and the present declarations are made and published under the Ajmere Forest Regulation, 1874, Section 3:—

## RAJGARH TRACT.

A tract of land comprising an area of about 2,885 acres and belonging to the villages of Rajgarh, Kotah, Kesarpura, Arjanpura (Khalsa), Arjanpura (Jaghir), Brigchiaswas, Bhimpura, Kalkana, Mayapura and Naharpura, all situated in the District of Ajmere.

This tract is bounded on the north by lands belonging to the villages of Kalkana, Mayapura, Naharpura, Kotah, Kesarpura, Arjanpura (Khalsa) and Arjanpura (Jaghir), on the east by lands belonging to the villages of Kalkana and Rajgarh, on the south by lands belonging to the villages of Rajgarh, Bhimpura and Brigchiaswas, and on the west by lands belonging to the village of Arjanpura (Jaghir).

## BANJAR MANDLAN TRACT.

A tract of land comprising an area of about 4,500 acres and belonging to the villages of Mandlan, Banjar, Todgarh, Dasarian, Negarian, Mawasa, Samapa, Balacharat and Bin, all situated in the District of Merwara. This tract is bounded on the north by lands belonging to the villages of Samapa and Balacharat, on the east by lands belonging to the villages of Bin, Mandlan and Barar, on the south by lands belonging to the villages of Barar and Todgarh, and on the west by lands belonging to the villages of Todgarh, Dasarian, Negarian, Banjar and Mawasa.

## AMNER KUKRA TRACT.

A tract of land comprising an area of about 2,300 acres and belonging to the villages of Lalpura, Akhajitgarh, Amner, Dhoti, Nadaot, Tibana and Kukra, all situated in the District of Merwara.

## [Forests.

This tract is bounded on the north by lands belonging to Meywar and to the villages of Kukra and Lalpura, on the east by lands belonging to the villages of Lalpura, Akhajitigarh, Amner and Dhoti, on the south by lands belonging to the villages of Dhoti and on the west by lands belonging to villages of Nadaot, Tibana and Kukra.

## SHEOPURA EXTENSION TRACT.

A tract of land comprising an area of about 1,000 acres and belonging to the villages of Shekawas, Baria Hira, Jainagri, Sheonagri and Jetakhara, all situated in the District of Merwara.

This tract is bounded on the north by the Sheopura Forests tract, on the east by lands belonging to the villages of Shekawas, Baria Hira and Jainagri, on the south by lands belonging to the villages of Dungakhara and Sheonagri, and on the west by lands belonging to the villages of Sheonagri, Jetakhara, Jaswantpura and Hattun.

## SILIBERI TRACT.

A tract of land comprising an area of about 620 acres and belonging to the villages of Sili-beri, Baria Teja and Baria Ajba, all situated in the District of Merwara.

This tract is bounded on the north by lands belonging to the villages of Baria Ajba and Sili-beri, on the east by lands belonging to Sili-beri, on the south by lands belonging to Marwar and to the village of Sili-beri, on the west by lands belonging to Marwar and to the village of Baria Teja.

## DECLARATION.

*Mount Abu, the 29th July, 1884.*

[“] No. 1933 S.—The waste and hilly lands below described being required for the purposes of a State Forest, are hereby, under the orders of the Chief Commissioner, taken up for such purposes and the present declaration—

tion is made and published under the Ajmere Forest Regulation, 1874, Section 3:—

MAKERWALI HOKRAN TRACT.

A tract of land comprising an area of about 3,000 acres and belonging to the villages of Naosar, Chaurasiaawas, Makerwali, Hokran, Buddha Pokhar and Kanas.

This tract is bounded on the north by lands belonging to the villages of Makerwali and Hokran, on the east by lands belonging to the villages of Makerwali, Chaurasiaawas, and Naosar, on the south by lands belonging to the villages of Naosar, Leela Saori, and Kanas, on the west by lands belonging to the villages of Kanas, Buddha Pokhar and Hokran.



[Forests.]

## RAJPUTANA AGENCY, PUBLIC WORKS DEPARTMENT.

[“] NOTIFICATION No. 234 S.

*Camp Kanholi, the 19th February, 1891.*

DECLARATIONS.—The waste lands below described, being required for the purposes of a State Forest, are hereby, under the orders of the Chief Commissioner, taken up for such purposes, and the present declarations are made and published under Ajmere Forests Regulation, 1874, Section 3:—

## JALIA PLOT.

A plot of land comprising an area of 36 acres 3 roods and 2 poles belonging to Government.

This plot is bounded on the east by the parapet wall of the weir of Phool Sagar tank, on the west by a waste hillock No. 69 within the limits of Soonian, on the north by the fields Nos. 38, 37, 35, 36, 12, &c., belonging to Sharnat, and on the south by the bund of Phool Sagar tank.

## BALAD PLOT.

A plot of land comprising an area of 12 acres 3 roods and 8 poles and belonging to the Government.

This plot is bounded on the east by the bund of the Balad new tank, on the west by patli No. 788, leading from Balad to Kusulpura nala of the rear of the Balad new tank No. 800 and waste hillock No. 830, on the north by path No. 788 leading from Balad village to the bund of the tank, and on the south by waste hillock No. 830.

[“] No. 1904 S.—*Dated, the 10th July, 1894.*

WHEREAS an application has been received for the preservation of the lands described below as Private Forests, the provisions of the Ajmere Forest Regulation, 1874, are hereby applied to the said lands for a period of ten years, by the present Notification, which is published under the Ajmere and Merwara Private Forests Preservation Regulation, 1892, Section 3:—

1.—CHAWANDIA TRACT.

268 *Bighas*—Bounded on the north by the Marwar border, on the east by land belonging to the village of Tilora, on the south by land belonging to the village of Chawandia, and on the West by land belonging to the village of Kishenpura.

2.—TILORA TRACT.

1628 *Bighas*—Bounded on the north by land belonging to the village of Karel, on the east by the land of Tilora village, on the south by land of Chawandia village, and on the west by the Marwar border.

3.—PICHOLIAN TRACT.

971 *Bighas*—Bounded on the north by land belonging to the village of Kharekri, on the east by Bhanota village, on the south and west by land belonging to Picholian village.

4.—SURAJKUND TRACT.

307 *Bighas*—Bounded on the north by land belonging to the village of Pushker, on the east by land of Kharekri village, on the south by the land of Bhugwanpura, and on the west by land of Surajkund.

5.—KISHENPURA GOLA TRACT.

404 *Bighas*—Bounded on the north by land belonging to the village of Chawandia, on the east by Kishenpura land, on the south by the land of Mand village, and on the west by the Marwar border.

6.—SAWAIPURA TRACT.

168 *Bighas*—Bounded on the north by the land of Surajkund village, on the east by the land of Kharekri, on the south by the land of Picholian, and on the west by the land of Sawaipura village.

[Forests.

AJMERE-MERWARA FOREST PASS.

No. \_\_\_\_\_

Dated \_\_\_\_\_ 189 .

To

ALL FOREST OFFICERS AND GUARDS.

\_\_\_\_\_ of the \_\_\_\_\_ Tract.

Ajmere-Merwara.

\_\_\_\_\_ with \_\_\_\_\_ persons

\_\_\_\_\_ is permitted to shoot in the \_\_\_\_\_

\_\_\_\_\_ tract, from \_\_\_\_\_ to \_\_\_\_\_

subject to the conditions printed on the reverse.

District Magistrate and

Deputy Conservator of Forests,

Ajmere or Merwara.

CONDITIONS.

I.—No fire shall be taken into the Forest Tract.

II.—No smoking of any kind shall be allowed within Forest limits.

III.—No trees shall be cut or injured.

IV.—Only the number of coolies entered in the Pass shall be taken into the Forest.

V.—No fence or boundary pillar shall be injured or destroyed in any way.

VI.—The shooting at any time in the year of the Does of Sambhur, Nilgae, Chital, or other kind of Deer in the State Forests is prohibited.

VII.—The shooting of all small Game is prohibited from the 15th March to the 30th September inclusive.

NOTE.—The shooting of Peafowl and blue Pigeons at any time in the year in Ajmere District is prohibited.

VIII.—This Pass shall be carried into the Forest Tract and shown to any Forest Ranger or Guard on demand.

NOTICE.—Whoever enters a State Forest Reserve without a Pass will be treated as trespasser and will be liable to be prosecuted if he enters, or do not leave, the Reserve, on being required to leave it.

# NOTICE.

*To European Soldiers and others.*

Notice is hereby given that entering the Government Reserves with Guns, or shooting therein, smoking or in any way endangering the grass or trees is strictly prohibited.

Shooting passes can be obtained on application to your commanding officer, or to the Assistant Commissioner, Ajmere, direct.

All persons without a Pass will be treated as trespassers, and will be liable to prosecution if they enter, or on receiving this notice do not leave the Reserve.

*Ajmere, 24th July, 1882.*

LESLIE S. SAUNDERS,

*Commissioner and Conservator of Forests, Ajmere-Merwara.*

FROM THE BRIGADE MAJOR, NASIRABAD.

*No. 32-466, dated 30th March, 1882.*

SIR,

I have the honor to state that in compliance with your No. 240 F, of the 27th instant, stringent orders have been issued on the subject, and I trust the soldiers of the Garrison will not be the cause of any further complaints.

2. The officers Commanding Corps have been directed to prevent their men from proceeding to the tracts mentioned without shooting Passes, which should be obtained from your office.

I have, &c.,

(Sd.) J. WELSH, CAPTAIN,

Brigade Major.

## NOTICE.

[Forests.]

In future, applications for passes to shoot in the Ajmere-Merwara Government Forest Reserves should be made to the District Magistrates (Deputy Conservators of Forests) of Ajmere and Merwara, respectively.

2. The pass will be granted by the District Magistrate if, after reference to the Extra Assistant Conservator of Forests, and, if necessary, to the Conservator of Forests, he considers that there is no objection to its issue.

(Sd.) A. H. T. MARTINDALE, C.S.

*Officiating Commissioner, and**Conservator of Forests,**Ajmere.*

AJMER, }  
*The 23rd March, 1893.*





# THE FOREIGN JURISDICTION AND EXTRADITION ACT, 1879.

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## CONTENTS.

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### PREAMBLE.

### CHAPTER I.

#### *Preliminary.*

### SECTIONS.

1. Short title.  
Extent.  
Commencement.  
Saving of other laws and of treaties.
  2. Repeal.
  3. Interpretation clause.
- 

### CHAPTER II.

#### *Powers of British Officers in places beyond British India.*

4. Exercise of powers of Governor-General in places beyond British India, and delegation thereof.
  5. Notification of exercise or delegation of such powers.
  6. Appointment, powers and jurisdiction of Justices of the Peace.
  7. Confirmation of existing Political Agents and Justices.
  8. Extension of criminal law of British India to British subjects out of British India.
- 

### CHAPTER III.

#### *Inquiries in British India into crimes committed by British Subjects in places beyond British India.*

9. Liability of British subjects for offences committed out of British India.  
Political Agent to certify fitness of inquiry into charge.
10. Power to direct copies of depositions and exhibits to be received in evidence,



## CHAPTER IV.

### *Extradition.*

11. Arrest and removal of persons other than European British subjects escaping into British India.
  12. Direction and execution of warrant.
  13. Political Agent may himself dispose of case, or make over person to ordinary Courts for trial.
  14. Requisitions for extradition by the Executive of any part of British dominions or Foreign power.
  15. Magistrate may in certain cases issue warrant for arrest of person accused of having committed an offence out of British India.  
Magistrate to inform Political Agent or Local Government.
  16. Person arrested to be released after certain time if not proceeded against.
  17. Bail.
- 

## CHAPTER V.

### *Miscellaneous.*

18. Power to make rules.
  19. Execution of commissions issued by Foreign Criminal Courts.
- 

## THE SCHEDULE.

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## [ Foreign Jurisdiction and Extradition.

ACT No. XXI OF 1879.

An Act to provide for the trial of offences committed in places beyond British India and for the Extradition of Criminals.

WHEREAS by treaty, capitulation, agreement, grant, usage, sufferance Preamble.  
and other lawful means the Governor-General of India in Council has power and jurisdiction within divers places beyond the limits of British India; and whereas such power and jurisdiction have, from time to time, been delegated to Political Agents and others acting under the authority of the Governor-General in Council; and whereas, doubts having arisen how far the exercise of such power and jurisdiction, and the delegation thereof, were controlled by and dependent on the laws of British India, the Foreign Jurisdiction and Extradition Act, 1872, was passed to remove such doubts, and also to consolidate and amend the law relating to the exercise and delegation of such power and jurisdiction, and to offences committed by British subjects beyond the limits of British India, and to the extradition of criminals; and whereas it is expedient to repeal that Act and re-enact it with the amendments hereinafter appearing; It is hereby enacted as follows:—

## CHAPTER I.

*Preliminary.*

1. This Act may be called "The Foreign Jurisdiction and Extradition Short title.  
Act, 1879:"

It extends to the whole of British India;

Extent.

to all Native Indian subjects of Her Majesty beyond the limits of British India; and

to all European British subjects within the dominions of Princes and States in India in alliance with Her Majesty;

and it shall come into force on the passing thereof.

Commence-  
ment.

But nothing contained in this Act shall affect the provisions of any law or treaty for the time being in force as to the extradition of offenders; and the procedure provided by any such law or treaty shall be followed in every case to which it applies. Saving of  
other laws and  
of treaties.

2. The Foreign Jurisdiction and Extradition Act, 1872, is repealed; Repeal.  
but all existing appointments, delegations, certificates, requisitions and rules made, and all existing notifications, summonses, warrants, orders and

## Foreign Jurisdiction and Extradition.]

if such Political Agent thinks that the offence is one which ought to be inquired into in such State ;

and if the act said to have been done would, if done in British India, have constituted an offence against any of the sections of the Indian Penal Code mentioned in the schedule hereto annexed, or under any other section of the said Code, or any other law, which may, from time to time, be specified by the Governor-General in Council by a notification in the *Gazette of India*.

12. Such warrant may be directed to the Magistrate of any district in which the accused person is believed to be, and shall be executed in the manner provided by the law for the time being in force with reference to the execution of warrants; ["] and the accused person, when arrested, shall be forwarded to the place and delivered to the officer named in the warrant.

13. Such Political Agent may either dispose of the case himself, or, if he is generally or specially directed to do so by the Governor-General in Council, or by the Governor of the Presidency of Fort St. George in Council, or by the Governor of the Presidency of Bombay in Council, may give over the person so forwarded, whether he be a Native Indian subject of Her Majesty or not, to be tried by the ordinary Courts of the State in which the offence was committed.

14. Whenever a requisition is made to the Governor-General in Council or any Local Government by or by the authority of the persons for the time being administering the executive Government of any part of the dominions of Her Majesty, or the territory of any Foreign Prince or State, that any person accused of having committed an offence in such dominions or territory should be given up, the Governor-General in Council or such Local Government, as the case may be, may issue an order to any Magistrate who would have had jurisdiction to inquire into the offence if it had been committed within the local limits of his jurisdiction, directing him to inquire into the truth of such accusation.

The Magistrate so directed shall issue a summons or warrant for the arrest of such person, according as the offence named appears to be one for which a summons or warrant would ordinarily issue; and shall enquire into the truth of such accusation, and shall report thereon to the Government by which he was directed to hold the said inquiry. If, upon receipt of such report, such Government is of opinion that the accused person ought to be

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[a] See now Act X of 1882, ch. VI (B).

## [Foreign Jurisdiction and Extradition.]

given up to the persons making such requisition, it may issue a warrant for the custody and removal of such accused person and for his delivery at a place and to a person to be named in the warrant.

The provisions of section ten [<sup>a</sup>] shall apply to inquiries held under this section.

15. Whenever any person accused or suspected of having committed an offence out of British India is within the local limits of the jurisdiction of a Magistrate in British India, and it appears to such Magistrate that the Political Agent for any State could, under the provisions of section eleven, issue a warrant for the arrest of such person, or that the persons for the time being administering the executive Government of any part of the dominions of Her Majesty or the territory of any Foreign Prince or State could demand his surrender, such Magistrate may, if he thinks fit, issue a warrant for the arrest of such person, on such information or complaint and such evidence as would, in his opinion, justify the issue of such a warrant if the offence had been committed within the local limits of his jurisdiction.

Magistrate may in certain cases issue warrant for arrest of person accused of having committed an offence out of British India.

Any Magistrate issuing a warrant under this section shall, when the offence appears or is alleged to have been committed in a State for which there is a Political Agent, send immediate information of his proceedings to such Agent, and in other cases shall at once report his proceedings to the Local Government.

Magistrate inform Political Agent or Local Government.

16. No person arrested on a warrant issued by a Magistrate under section fifteen shall be detained more than two months from the date of his arrest, unless within such period the Magistrate receives a warrant under section eleven from the Political Agent for any State for the delivery of such person, or an order with reference to him under section fourteen from the Governor-General in Council or Local Government, or such person is in accordance with law delivered up to some Foreign Prince or State.

Person arrested to be released after certain time not proceeded against.

At any time before the receipt of such a warrant or order the Magistrate, if he thinks fit, may, and the Magistrate if so directed by the Local Government shall, discharge the accused person.

17. The provisions of the Code of Criminal Procedure [<sup>b</sup>] in respect of bail shall apply in the case of any person arrested under section fifteen in the same manner as if such person were accused of committing in British India the offence with which he is charged.

Bail.

[a] Repealed.—See now Act X of 1882 s. 189.

[b] See Act X of 1882 s. 3, and Ch. XXXIX.

## Foreign Jurisdiction and Extradition.]

## CHAPTER V.

*Miscellaneous.*

18. The Governor-General in Council may, from time to time, make rules to provide for—

(1) the confinement, diet and prison discipline of British subjects, European or Native, imprisoned by Political Agents under this Act ;

(2) the removal of accused persons under this Act, and their control and maintenance until such time as they are handed over to the persons named in the warrant as entitled to receive them : and

(3) generally to carry out the purposes of this Act.

19 The testimony of any witness may be obtained in relation to any criminal matter pending in any Court or tribunal in the territory of any Foreign Prince or State in like manner as it may be obtained in relation to any civil matter under the Code of Civil Procedure, chapter XXV: [“] and the provisions of that chapter shall be construed as if the term “suit” included a proceeding against a criminal: Provided that nothing in this section shall apply in the case of any criminal matter of a political character.

## THE SCHEDULE.

*Sections of the Indian Penal Code referred to in Section eleven.*

Sections 206, 208 and 224; sections 230 to 263, both inclusive; sections 299 to 304, both inclusive; sections 307, 310 and 311; sections 312 to 317, both inclusive; sections 323 to 333, both inclusive; sections 347 and 348; sections 360 to 373, both inclusive; sections 375 to 377, both inclusive; sections 378 to 414, both inclusive; sections 435 to 440, both inclusive; sections 443 to 416, both inclusive; sections 464 to 468, both inclusive; sections 471 to 477, both inclusive.

[a] See Act XIV of 1882, s. 3.

## [Foreign Jurisdiction and Extradition.]

## RULES AND ORDERS UNDER THE EXTRADITION ACT.

## FOREIGN DEPARTMENT.

NOTIFICATION No. 31 J.[<sup>a</sup>]*Dated Fort William, the 12th March 1875.*

In exercise of the powers conferred on him by Sections 13 and 15 of Act XI\* of 1872, and of all other powers enabling him in this behalf, the Governor-General in Council is pleased to make the following Rules:—

\* Superseded  
by Act XXI of  
1879.

1. The Political Agent shall not issue a warrant under Section 11 of the Act in any case which is provided for by Treaty, if the Native State expressly desires to abide by the procedure of the Treaty, nor in any case in which application for surrender is made under section 14 to the Governor-General in Council or any Local Government.

2. The Political Agent shall not issue a warrant under Section 11, except on a request preferred to him in writing by, or by the authority of, the person for the time being administering the executive Government of the Native State at which he is the British representative, and on the understanding that the provisions of Act XI\* [<sup>a</sup>] of 1872 and of these rules are to apply to the case.

\* Superseded \*  
by Act XXI of  
1879.

3. If the accused be a British subject, the Political Agent shall, before issuing such a warrant, consider whether he ought not to certify the case as one for trial in British India; and he shall instead of issuing a warrant, so certify the case, if he is satisfied that the interests of justice and the convenience of witnesses can be better served by the trial being held in British India than in the Native State.

4. The Political Agent shall in all cases, before issuing a warrant under Section 11, satisfy himself by preliminary enquiry that there is a *prima facie* case against the accused, and that the charge is not prompted by political motives.

## Foreign Jurisdiction and Extradition.]

5. "If the person surrendered under the warrant of a Political Agent,

*Published in the Gazette of India, dated 16th August, 1876, Part I, page 440.*

*Simla, the 16th August 1876.*

\*No. 87 J.—In supersession of Rule No. 5 of the Rules under Act XI of 1872\* (Foreign Jurisdiction and Extradition Act 1872,) published by Notification of this Department, No. 31 J., dated 12th March 1875, the Governor-General in Council is pleased to prescribe the following.

Political Agent after hearing the statement, if any, of the accused, and making such further enquiry as he may deem necessary is still satisfied that there is a *prima facie* case against the accused, and that the charge is not prompted by political motives, the Political Agent shall make over the accused to be tried by the ordinary Courts of the State in which the offence was committed; provided that the Courts of the State have, by custom or recognition as aforesaid, power to inflict the punishment which may be inflicted under the Indian Penal Code for the offence with which the accused person is charged."

6. If the accused be a British subject, but the Courts of the State do not, by custom or recognition as aforesaid, try Native British subjects, the Political Agent shall dispose of the case himself.

7. If the punishment which may be awarded under the Indian Penal Code for any offence for which an accused person has been surrendered as above be more than the Courts of the State by custom or recognition as aforesaid inflict, the Political Agent may try the case himself, if he thinks it advisable to do so.

8. Notwithstanding anything in the three preceding Rules, the Political Agent shall try any such case himself or make it over for trial by the ordinary Courts of the State, if he be generally or specially instructed by the Governor-General in Council so to do.

9. In cases made over for trial by the Courts of a Native State under Rules 5 and 7, the Political Agent shall satisfy himself that the accused receives a fair trial, and that the punishment inflicted in the case of his conviction is not excessive or barbarous; and if he is not so satisfied, he shall demand the restoration of the prisoner to his custody pending the orders of Government.

10. A Return of all persons made over for trial by the Courts of a Native State under Rules 5 and 7 shall be submitted half-yearly by the

## [ Foreign Jurisdiction and Extradition.

Political Agent to the Government of India or the Government of Madras or Bombay, as the case may be, in the following form:—

*Half-yearly Return, under Rule 9 of the Rules under the Extradition Act (XI)\* of 1872, of persons made over by the Political Agent at for trial by the Courts of Native States under Rules 5 and 7, for the period ending*

\* Superseded by Act XXI of 1879.

Number.	Name of person.	Nationality.	Offence with which charged.	Where arrested.	Date of surrender.	Native State to which surrendered for trial.	Reasons for surrender.	Nature of sentence passed, with date of sentence.	REMARKS.

11. Persons arrested in British territory on a warrant issued by a Political Agent under Section 11, and persons arrested on a warrant issued under Section 14, shall be treated as far as possible in the same way as persons under trial for a similar offence would be treated under the Code of Criminal Procedure, or under the Procedure in force in the Presidency towns, if the arrest take place within any Presidency town.

12. Persons sentenced to imprisonment by the Political Agent shall, if British subjects, be conveyed to the most convenient jail in British territory, there to be dealt with as though the conviction had taken place in a Court of British India; provided always that no appeal shall thereby be given other than is allowed by any rule for regulating appeals from the decisions of the Political Agent.

13. Nothing in rules 5 to 10 inclusive, which refer to cases under Section 13 of the said Act, shall be deemed to apply to Political Agents immediately under the authority of the Governor in Council of the Presidency of Fort St. George, or the Governor in Council of the Presidency of Bombay.



**Foreign Jurisdiction and Extradition.]**

NOTIFICATION No. 149 J.—*Dated Simla, the 8th October, 1875.*[<sup>a</sup>]

The Governor-General in Council is pleased to order that the Notification of this Department, No. 31 J, dated 12th March 1875, publishing certain Rules under Act XI of 1872 (the Foreign Jurisdiction and Extradition Act, 1872,) shall not apply to Native territory under the direct administration of the British Government, in which the Code of Criminal Procedure (Act X of 1872) is in force.

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[<sup>a</sup>] (*Gazette of India*, October 9th, 1875, Part I, p. 524.)

## [Foreign Jurisdiction and Extradition.]

## FOREIGN DEPARTMENT.

NOTIFICATION No. 1392 I.[<sup>a</sup>]*Dated Simla, the 14th April, 1888.*

The following supplementary agreement, modifying the provisions of the Extradition Treaty with the Hyderabad State, which was set out in the *Gazette of India*, dated the 1st June, 1867, is published for General information :

“ WHEREAS a Treaty relating to the extradition of offenders was concluded on the 25th May, 1867, between the British Government and the Hyderabad State : And whereas the procedure prescribed by the Treaty for the extradition of offenders from British India to the Hyderabad State has been found by experience to be less simple and effective than the procedure prescribed by the law as to the extradition of offenders in force in British India : It is hereby agreed between the British Government and the Hyderabad State that the provisions of the Treaty prescribing a procedure for the extradition of offenders shall no longer apply to cases of extradition from British India to the Hyderabad State ; but that the procedure prescribed by the law as to the extradition of offenders for the time being in force in British India shall be followed in every such case.”

2. Similar Supplementary Agreements have been concluded with the

Jeypur	Tonk
Udaipur	Bharatpur
Dungarpur	Kerowli
Banswara	Dholpur
Pertabgarh	Bikanir
Kishengarh	Ulwar
Jodhpur	Jballawar
Jeysulmere	Kotah
Sirohi	Buudi

Rajputana States enumerated in the margin. The Extradition Treaties with these States were published in the *Gazette of India* from time to time during the years 1868, 1869 and 1870.

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[a] The *Gazette of India*, April 21st, 1888, Part I, p. 183.







THE  
AJMERE REGULATIONS,  
ALSO  
NOTIFICATIONS  
REFERRING TO THE  
AJMERE-MERWARA DIVISION  
TOGETHER WITH  
RULES, CIRCULARS, AND ORDERS REVISED AND  
CONSOLIDATED.

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Fourth Edition—Volume I., A to F.

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AJMERE:  
PRINTED AT THE RAJPUTANA MISSION PRESS.

1897.



## PREFACE TO THE SECOND EDITION.

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ALL the Regulations specially enacted for Ajmere and Merwara, all Notifications published under those Regulations, and other Notifications regarding Ajmere-Merwara, as well as such rules as have been specially made for Ajmere, have been collected together, printed, and are now bound together in this volume for the general convenience of officers concerned in the Administration of Ajmere.

At the same time a list of all Acts of the Legislature passed before the 1st January 1878, which are believed to apply to Ajmere, has been added to this the second edition of a collection of Regulations and Notifications of Ajmere, which it is trusted may be found full, accurate, and useful.

AJMERE,

*28th August 1878.*

(Sd.) LESLIE S. SAUNDERS,

*Commissioner, Ajmere-Merwara.*





## PREFACE TO THE THIRD EDITION.

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It has been considered desirable to republish this volume, owing to the numerous changes in the law since 1878; moreover, the republication of such orders is prescribed in section 113 Land and Revenue Regulations. These rules have now been arranged in a convenient order, and consolidated.

The Ajmere Regulation Book embodies, so far as is known, all the Regulations (specially enacted for Ajmere-Merwara), Notifications, (not being personal), Rules, and Circulars, issued at various times under the orders of the Government of India, Government of North-Western Provinces, and the Chief Commissioner of Ajmere.

The List, Classification, and Alphabetical Index of Regulations and Acts believed to be applicable to Ajmere-Merwara have also, so far as feasible, been revised, and entered in their proper places, and the list is brought up to the end of 1882.

AJMERE,

(Sd.) LESLIE S. SAUNDERS,

*26th October 1883.*

*Commissioner, Ajmere-Merwara.*



## PREFACE TO THE FOURTH EDITION.



SINCE the publication of the last edition of this book, in October 1883, there have been so many changes in the Law, Rules, and Orders applicable to Ajmere-Merwara that it has become necessary to revise and publish it in a convenient form.

The present edition differs from previous editions in that the subjects treated of have been arranged alphabetically, and in place of one unwieldy volume it will now appear in four separate parts of a convenient size. All that was obsolete has been omitted, and all Regulations, Orders, Notifications, &c., passed and published since the issue of the last edition up to the 31st December 1894 have been embodied. All Rules, Notifications, &c., passed and published after the 31st December 1894 which cannot be inserted in their proper places will appear as Addenda at the end of the last part.

The report on Jagir Estates and proposition statements sanctioned by the Government of India in connection with those estates, as also the report on Bhoom tenures, will be found printed under the head "Land Revenue."

AJMERE,

*Dated 31st May 1897.*

A. P. THORNTON, LT.-COL.,

*Commissioner, Ajmere-Merwara.*



# TABLE OF CONTENTS.

PAGE

## List of Regulations and Acts in force in Ajmere-Merwara 1

### Administration—

Resolution of the Secretary of State to extend the provisions of Act 33, Vic. Cap. 3, to Ajmere-Merwara, ... ..	27
Government of India Notification taking Ajmere-Merwara under the direct management of the Governor-General in Council, ...	<i>ib.</i>
Government of India Notification declaring the Deoli Cantonment to be a part of the Ajmere District, ... ..	28
Government of India Notification declaring the Superintendent, Rajputana State Railway, to be a District Superintendent of Police on the R.-M. Railway Line lying in Ajmere-Merwara,...	<i>ib.</i>
Government of India Notification declaring the limits of the jurisdiction of the Sambhar Salt Lake Court to be a division of the Ajmere District, ... ..	<i>ib.</i>
Government of India Notification declaring the limits of the jurisdiction of the Didwana Salt Source Court to be a division of the Ajmere District, ... ..	29
Resolution of the Government of India No. 1995P., dated 22nd November 1870, revising the Revenue and Judicial Establishments in Ajmere-Merwara, ... ..	30

### Agriculturists' Loans—

The Agriculturists' Loans Act XII of 1884, ... ..	35
Rules under Section 4 of the Agriculturists' Loans Act, ... ..	36

# **Army**

The Indian Army Act XI of 1873, . . . . . 41

Government of India (Revenue) Notification No. 513, dated 6th March, 1879, and Rules under the Indian Army Act XI of 1873 extended up to the 30th April 1894, . . . . . 52

Chief Commissioner's No. 119, dated 23rd February 1889, publishing rules made by the Chief Commissioner under the Act, . . . 115

Chief Commissioner's order regarding the disposal of unclaimed Arms found on the Rappahannock Railway, . . . . . 191

## **Amendments to Breaching Process and Travellers**

Regal Regulation No. XI of 1893, . . . . . 193

" " " XI of 1893, . . . . . 193

Rules for the guidance of officers under the Rappahannock Agency in regard to the supply of carriage troops, with Appendix, . . . 197

Table of rates of Chined fees, . . . . . 199

## **Birth, Death, and Marriages**

Government of India Notification regarding the date of the Birth, Death, and Marriage Registration for coming into force, . . . 148

Chief Commissioner's Notification appointing the Commissioner of Amoy District to be the Registrar General for Birth, Death, and Marriage for Amoy District, . . . . . 144

Chief Commissioner's Notification appointing the Assistant Commissioner Amoy and Amoy, and the Commissioner of Birth, Death, and Marriage for Amoy District, . . . . . 144

Government of India Notification No. 201 of 1st July 1893, appointing certain officers to be Registrars of Birth and Death in certain areas and the Commissioner of Amoy District to be Registrar General, . . . . . 143

Government of India Notification appointing the District Agent at Amoy to be Registrar of Birth and Death for the Amoy District and the Commissioner of Amoy to be the Registrar General, . . . . . 143

Government of India Notification publishing rules under Section 26, 28, and 36 of the Births, Deaths, and Marriages Registration Act VI of 1886, ... ..	148
Government of India Notification publishing rules for the guidance of Commissioners appointed under Section 35 A (1) of the Act, ... ..	158

### Cantonments—

Notification by the Lieut.-Governor, N. W. P., applying Act. XXII of 1864 to the Nasirabad Cantonment, ... ..	161
Notification by the Lieut.-Governor, N. W. P., applying Act. XX of 1856 to the Nasirabad Cantonment, ... ..	<i>ib.</i>
Notification by the Lieut.-Governor, N. W. P., extending Sec. 34 of Act. V of 1861 to the Nasirabad Cantonment, ... ..	162
Government of India Notification declaring the Cantonment of Deoli to be a part of the Ajmere District, ... ..	<i>ib.</i>
Government of India Notification declaring all Laws in force in Ajmere-Merwara to be applicable to Deoli Cantonment, ... ..	<i>ib.</i>
Government of India Notification extending Act XXII of 1864 to the Deoli Cantonment, ... ..	163
Chief Commissioner's Notification extending Act XX of 1856 and XXII of 1871 to Deoli Cantonment, ... ..	<i>ib.</i>
Government of India Notification exempting certain classes of persons and their families from the payment of Latrine fees, ... ..	<i>ib.</i>
Chief Commissioner's Notification framing a rule about Birt Sweepers, ... ..	164
Chief Commissioner's Notification No. 302, dated 16th May 1878, publishing rules under Section 39 of the Ajmerc Laws Regulation for taxation in Nasirabad Cantonment,... ..	165
Schedule of duties leviable in the Nasirabad Cantonment ... ..	167
Chief Commissioner's Notification No. 436, dated 30th May 1883, publishing rules under Section 39 of the Ajmere Laws Regulation for taxation in Nasirabad Cantonment, ... ..	168



	PAGE
Rules under Section 26 (clause 21) and 27 of the Cantonment Act 1889, ... ..	169
Chief Commissioner's Notification applying the above rules to the Nasirabad Cantonment,... ..	171

### Christian Marriages—

Chief Commissioner's Notification appointing Assistant Commissioners, Ajmere and Merwara, to be Marriage Registrars within their respective Districts, ... ..	173
Chief Commissioner's letter regarding submission of marriage certificates to Local Government, ... ..	<i>ib.</i>
Government of India Notification appointing Magistrate of Abu to be a Marriage Registrar, ... ..	174
Government of India Notification appointing every Political Officer accredited to a Native State in Rajputana, being a Christian, to be a Marriage Registrar, ... ..	175
Government of India Resolution ordering Marriage Registrars in Native States of Rajputana to send certificates to the Commissioner of Ajmere, mentioned in Section 54 of the Act, ...	175
Chief Commissioner's Notification prescribing a scale of fees chargeable under the Act, and giving directions regarding the keeping of Marriage Registers, and declaring the Commissioner of Ajmere to be the District Judge for Act XV of 1872, within Ajmere-Merwara, ... ..	176
Government of India Notification prescribing a scale of fees chargeable under the Act from the Christian subjects of Her Majesty in certain Native States, and giving directions for the disposal of such fees, ... ..	177
Government of India Notification conferring the powers of the Governor-General in Council under the Act on the Agent Governor-General in Rajputana, ... ..	179
Government of India Resolution regarding Stamp Duty on copies of entries in the Marriage Register, ... ..	180

## Courts—

The Ajmere Courts Regulation I of 1877, ... ..	182
Chief Commissioner's Notification regarding the date when the Ajmere Courts Regulation came into force, ... ..	193
Chief Commissioner's Notification appointing certain Officers to be subordinate judges of the 1st class or munsiff, ... ..	<i>ib.</i>
Chief Commissioner's Notification investing the Assistant Commis- sioner, Merwara, and Cantonment Magistrate, Nasirabad, with Small Cause Court powers, ... ..	194
Chief Commissioner's Notification investing the Extra Assistant Commissioner, 1st grade, with the powers of a Judge of a Small Cause Court, ... ..	195
Chief Commissioner's Notification empowering Assistant Commis- sioners of Ajmere and Merwara, and the Judicial Assistant Commissioner, Ajmere, to hear appeals from the decrees of the 2nd class Sub-Judges and Munsiffs, ... ..	196
Chief Commissioner's Notification conferring on the Assistant Commissioner, Ajmere, the powers which may be conferred on a Deputy Commissioner, ... ..	<i>ib.</i>
Government of India Notification No. 2112P, dated 25th Septem- ber 1874, establishing the Sambhar Salt Lake Court, appoint- ing the Assistant Commissioner of Salt Revenue at Sambhar to be Judge of that Court, and conferring certain powers on him, ... ..	197
Government of India Notification appointing the Assistant Com- missioner in charge of British Inland Customs Department at Sambhar to be a Justice of the Peace, ... ..	200
Government of India, Notification No. 3391J, dated 19th Decem- ber 1879, establishing the Didwana Salt Source Court, and appointing the Assistant Commissioner of Salt Revenue at Didwana to be Judge of that Court, and conferring certain powers on him, ... ..	201
Commissioner's Circular No. 695J, of 1889 <i>re</i> distribution of Civil Judicial business, ... ..	203

## Factories—

The Indian Factories Act XV of 1881, as amended by Act XI of 1891, ... ..	265
Government of India Notification prescribing fees payable to a Certifying Surgeon by the persons employed or desirous to be employed in a factory, ... ..	275
Government of India Notification, directing that certain provisions of the Act shall not apply to kilns connected with potteries, ... ..	<i>ib.</i>
Rules made by the Governor-General in Council under Sec. 18 clause 2 of the Act, ... ..	276
Rules made by Chief Commissioner under Section 18 of the Act,	278

## Forests—

The Ajmere Forests Regulation VI of 1874, ... ..	289
The Ajmere-Merwara Private Forests Preservation Regulation 1892, ... ..	294
Chief Commissioner's Notification appointing the Assistant Commissioners of Ajmere and Merwara Forest Officers in their respective jurisdiction, ... ..	296
Forest Bye-Laws under Section 9 of the Forest Regulation, ...	297
Declarations under Section 3 of the Regulation for taking up certain Forest tracts, ... ..	307
Chief Commissioner's Notification applying the Ajmere Forests Regulation 1874, to certain Tracts, ... ..	318
Commissioner's Notice to European Soldier's and others for prohibition in entering the Government Reserve with guns, or shooting therein, smoking, or in any way endangering the grass and trees, ... ..	320
Passes for shooting in the Ajmere-Merwara Forests Reserves, ...	321

Commissioner's Notice regarding the application to be made for passes to shoot in the Ajmere-Merwara Government Forest reserved to the District Magistrates Ajmere-Merwara, respectively, ... ..	<i>ib.</i>
---	------------

### Foreign Jurisdiction and Extradition—

The Foreign Jurisdiction and Extradition Act XXI of 1879, ...	327
Government of India Notification No. 31J of 12th March 1875 publishing rules under Secs. 13 and 15 of the Act, ...	333
Government of India Notification limiting the application of the above Notification, ... ..	336
Government of India Notification publishing an agreement with certain Native States for the extradition of offenders, ...	337

# LIST OF REGULATIONS AND ACTS IN FORCE IN AJMERE-MERWARA.

*The following list is believed to include all the enactments in force in  
Ajmere-Merwara up to 31st December, 1894.*

## 1. BENGAL REGULATIONS IN FORCE IN AJMERE-MERWARA.

- (1.) No. V of 1799—(Wills and Intestacies of Natives): ss. 4 to 6
- (2.) „ X of 1804—(State Offences.)
- (3.) „ XI of 1806—(Assistance to Marching Troops and Travellers):  
ss. 2 to 6, 8.
- (4.) „ XIX of 1810—(Native Endowments; Escheat.)
- (5.) „ XI of 1812—(Removal of Foreign Emigrants.)
- (6.) „ III of 1818—(State Prisoners.)
- (7.) „ VI of 1825—(Assistance to Marching Troops and to  
Travellers.)
- (8.) „ V of 1827—(Management of Estates under Attachment.)

## 2. REGULATIONS FRAMED FOR AJMERE-MERWARA UNDER 33 VIC., CAP. 3.

- (1.) No. IV of 1872—(The Ajmere Talukdars' Relief Regulation.)
- (2.) „ VI of 1874—(The Ajmere Forest Regulation.)
- (3.) „ I [a] of 1877—as amended by }  
Regulation } The Ajmere Courts  
No. IX of 1890 } Regulation.  
„ IX of 1893. }
- (4.) „ II of 1877—as amended by }  
Regulation } The Ajmere Land and  
No. IX of 1893. } Revenue Regulation.

[a] The Ajmere Courts Regulation came into force on 1st June 1877. See Chief Commissioner's Notification No. 326, dated 18th May, 1877. Rajputana Official Gazette, dated 2nd June, 1877.